

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Rev. Heidi Grossman Lepp v. Conrad Mallett, Jr., et al.

Lepp · No. 5:25-cv-10214 · Decided January 16, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denies pro se plaintiff Heidi Grossman Lepp’s motion for relief from judgment under Federal Rule of Civil Procedure 60(b). The court holds that plaintiff did not establish an error of law, newly discovered evidence, or extraordinary circumstances warranting relief, and concludes that her objections to the magistrate judge’s report and recommendation and order denying leave to amend would not change the outcome. The court also declines to consider materials submitted as a declaration and an AI-generated legal analysis.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Judith E. Levy
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 16, 2026
DOCKET	5:25-cv-10214
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b)(1), (2), and (6) for relief from the judgment dismissing her civil-rights action, reopening the case, permitting an amended complaint, and considering untimely objections to a magistrate judge’s report and recommendation and order.
STANDARD OF REVIEW	Rule 60(b) relief is discretionary and extraordinary, generally requiring exceptional circumstances; the movant bears the burden of establishing grounds for relief by clear and convincing evidence. Objections to a dispositive report and recommendation are reviewed de novo when proper and timely; objections to a magistrate judge’s nondispositive pretrial order are reviewed for clear error or whether the order is contrary to law.

PRECEDENTIAL VALUE	Unpublished federal district court order; nonprecedential except as permitted by applicable rules.
PARTIES	Rev. Heidi Grossman Lepp v. Conrad Mallett, Jr., et al.

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QUESTIONS PRESENTED

1. Whether Plaintiff established grounds under Rule 60(b)(1) based on a judicial error of law or excusable neglect.
2. Whether Plaintiff's untimely objections to the report and recommendation and the magistrate judge's order warranted relief from judgment.
3. Whether decisions from another district and later events constituted newly discovered evidence under Rule 60(b)(2).
4. Whether extraordinary circumstances justified relief under Rule 60(b)(6), including reopening the case to permit amendment.
5. Whether Plaintiff's standing allegations established an error in the prior dismissal.

HOLDINGS

1. Plaintiff did not establish that the court made a substantive error of law or fact in applying standing doctrine; repeating previously considered allegations and disputing the court's treatment of precedent did not justify relief from judgment.
2. Plaintiff demonstrated an excusable mistake in failing to timely file objections, but relief was denied because the objections would not have changed the outcome.
3. Plaintiff was not entitled to relief under Rule 60(b)(2) because the cited judicial decisions and later events were not newly discovered, material, controlling evidence fairly traceable to the defendant's conduct.
4. Plaintiff failed to establish extraordinary circumstances warranting Rule 60(b)(6) relief, and she could not bypass that requirement by combining Rule 60(b)(6) with Rule 15(a)'s liberal amendment standard.

KEY QUOTATIONS

“Relief from a final judgment under Rule 60(b) is an extraordinary remedy that is granted only in exceptional circumstances.” (Section II)

“BLOM Bank explicitly forbids courts from considering Rule 60(b)(6) and Rule 15(a) “in tandem.”” (Section III.C)

FACTUAL BACKGROUND

Plaintiff alleged that governmental conduct caused reputational harm, emotional distress and PTSD exacerbation, financial losses, interference with religious practice, and disruption of her church's operations. The court found that the prior report and recommendation and adoption order had already considered those alleged injuries and that some additional allegations were not contained in the complaint. Plaintiff also asserted that she attempted to file objections but did not do so timely, citing possible internet or PACER connectivity problems and her father's death.

PROCEDURAL HISTORY

Magistrate Judge Curtis Ivy, Jr. recommended granting Defendant Mallett's motion to dismiss and dismissing John Does 1-500, and separately denied Plaintiff's motion for leave to amend. The district court adopted the report and recommendation and entered judgment on July 21, 2025. Plaintiff filed the Rule 60(b) motion on August 19, 2025; the court denied it and left the case closed.

DISPOSITION

other

CASES CITED

- Lunn v. City of Detroit, No. 19-13578, 2024 WL 3160311, at *2 (E.D. Mich. June 25, 2024)
- Marcelli v. Walker, 313 F. App'x 839, 841 (6th Cir. 2009)
- Jinks v. AlliedSignal, Inc., 250 F.3d 381, 385 (6th Cir. 2001)
- Bank of Montreal v. Olafsson, 648 F.2d 1078, 1079 (6th Cir. 1981)
- Info-Hold, Inc. v. Sound Merch., Inc., 538 F.3d 448, 454 (6th Cir. 2008)
- CGH Transp., Inc. v. Quebecor World, Inc., 261 F. App'x 817, 823 (6th Cir. 2008)
- Blue Diamond Coal Co. v. Trs. of UMW Combined Ben. Fund, 249 F.3d 519, 524 (6th Cir. 2001)
- McAlpin v. Lexington 76 Auto Truck Stop, Inc., 229 F.3d 491, 502-03 (6th Cir. 2000)
- Kemp v. United States, 596 U.S. 528, 530-31 (2022)
- United States v. Reyes, 307 F.3d 451, 455 (6th Cir. 2002)
- Lujan v. Defenders of Wildlife, 504 U.S. 555, 561 (1992)
- Glennborough Homeowners Ass'n v. United States Postal Serv., 21 F.4th 410, 414 (6th Cir. 2021)
- Buchholz v. Meyer Njus Tanick, 946 F.3d 855 (6th Cir. 2020)
- Garland v. Orlans, PC, 999 F.3d 432 (6th Cir. 2021)
- Prows v. City of Oxford, No. 23-3920, 2024 WL 4786114 (6th Cir. Sept. 6, 2024)
- Church of Lukumi Babalu Aye, Inc. v. City of Hialeah, 508 U.S. 520 (1993)
- Secretary of State of Md. v. Joseph H. Munson Co., 467 U.S. 947 (1984)

- Prime Media, Inc. v. City of Brentwood, 485 F.3d 343, 349 (6th Cir. 2007)
- Jackson v. Chandler, 463 F. App'x 511, 513 (6th Cir. 2012)
- Coleman-Bey v. Bouchard, 287 F. App'x 420, 422 (6th Cir. 2008)
- Brumley v. Wingard, 269 F.3d 629, 647 (6th Cir. 2001)
- Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995)
- Howard v. Secretary of Health and Human Services, 932 F.2d 505, 509 (6th Cir. 1991)
- Thomas v. Arn, 474 U.S. 140, 147 (1985)
- Bisig v. Time Warner Cable, Inc., 940 F.3d 205, 219 (6th Cir. 2019)
- United States v. U.S. Gypsum Co., 333 U.S. 364, 395 (1948)
- United States v. Winsper, No. 3:08-CV-631-H, 2013 WL 5673617, at *1 (W.D. Ky. Oct. 17, 2013)
- Kelly v. Valeo N. Am., Inc., No. 2:24-CV-11066-TGB-KGA, 2025 WL 933943, at *5 (E.D. Mich. Mar. 27, 2025)
- JPMorgan Chase Bank, N.A. v. First Am. Title Ins. Co., 750 F.3d 573, 584-85 (6th Cir. 2014)
- HDC, LLC v. City of Ann Arbor, 675 F.3d 608, 615 (6th Cir. 2012)
- BLOM Bank SAL v. Honickman, 605 U.S. 204, 210, 213-14 (2025)
- Gonzalez v. Crosby, 545 U.S. 524, 536-37 (2005)
- Henness v. Bagley, 766 F.3d 550, 557 (6th Cir. 2014)
- McGuire v. Warden, Chillicothe Corr. Inst., 738 F.3d 741, 750 (6th Cir. 2013)
- Foman v. Davis, 371 U.S. 178, 182 (1962)