

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

Kyrima Anderson, et al. v. Warden Jessie Williams, et al.

No. 5:25-cv-00506-MTT-ALS · No. No. 5:25-cv-00506-MTT-ALS · Decided January 9, 2026

SUMMARY

The United States District Court for the Middle District of Georgia denied Kyrima Anderson’s motion for reconsideration of the dismissal of her pro se prisoner class action. The court held that Anderson identified no intervening change in law, newly discovered evidence, clear error, or manifest injustice, and reaffirmed that a non-attorney prisoner may not represent fellow prisoners in a class action. The dismissal without prejudice and denial of appointed counsel therefore remained in effect.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Marc T. Treadwell
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	January 9, 2026
DOCKET	No. 5:25-cv-00506-MTT-ALS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a post-judgment motion for reconsideration of the dismissal of her prisoner class action and denial of appointed counsel. The district court treated the motion as arising under Federal Rule of Civil Procedure 59(e) and denied it.
STANDARD OF REVIEW	A motion for reconsideration under Federal Rule of Civil Procedure 59(e) is appropriate only upon an intervening change in controlling law, newly available evidence, or the need to correct clear error or prevent manifest injustice. Relief is extraordinary and is not available to relitigate old matters or present a new legal theory.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Kyrima Anderson, et al. v. Warden Jessie Williams, et al.

TOPICS

motion for reconsideration

class actions

prisoners rights

section 1983

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

post-judgment motions

class actions

QUESTIONS PRESENTED

1. Whether Anderson satisfied the standards for altering or amending the prior dismissal under Federal Rule of Civil Procedure 59(e) or Middle District of Georgia Local Rule 7.6.
2. Whether a pro se prisoner who is not a licensed attorney may represent fellow prisoners or maintain a prisoner class action.
3. Whether dismissal before service and denial of appointed counsel were proper in light of the prohibition on pro se representation of other prisoners and the prisoner-screening requirements of 28 U.S.C. § 1915A.

HOLDINGS

1. Reconsideration was not warranted because Anderson identified no intervening change in controlling law, newly discovered evidence, clear error of law, or manifest injustice.
2. A pro se prisoner who is not a licensed attorney may not represent fellow prisoners or bring a class action on their behalf in federal court.
3. Dismissal before service and denial of appointed counsel were proper because the complaint was subject to dismissal at preliminary prisoner screening and Anderson could not represent the other prisoners.

KEY QUOTATIONS

“There are only three circumstances that warrant reconsideration of a prior order under Rule 59(e): “(1) an intervening change in controlling law; (2) the availability of new evidence; and (3) the need to correct clear error or manifest injustice.”” (p. 2)

“Rule 59(e) “cannot serve as a vehicle to relitigate old matters or present the case under a new legal theory . . . [or] give the moving party another ‘bite at the apple’ by permitting the arguing of issues and procedures that could and should have been raised prior to judgment.”” (p. 2)

“The law is clear that pro se prisoners who are not licensed attorneys are barred from representing their fellow prisoners and from bringing class action lawsuits in the federal courts.” (p. 3)

“Accordingly, Plaintiff Anderson’s motion for reconsideration (ECF No. 15) is DENIED.” (p. 4)

FACTUAL BACKGROUND

Anderson, a prisoner at Pulaski State Prison, filed a putative class action on behalf of herself and other prisoners at Pulaski State Prison and Emmanuel Women’s Facility. She proceeded without counsel and sought to represent other prisoners. After the court dismissed the complaint without prejudice before service, Anderson moved for reconsideration and argued that dismissal was improper because she had requested appointed counsel.

PROCEDURAL HISTORY

Kyrima Anderson, a prisoner proceeding pro se, filed a putative class action on behalf of herself and other prisoners at Pulaski State Prison and Emmanuel Women's Facility. The court dismissed the complaint without prejudice on November 21, 2025, before service on any defendant, and denied her request for appointed counsel. Anderson then moved for reconsideration, asserting that dismissal was erroneous because she had also requested counsel. The court denied reconsideration and reaffirmed that each prisoner could file a separate complaint asserting personal claims.

DISPOSITION

other

CASES CITED

- Green v. Drug Enf't Admin., 606 F.3d 1296, 1299 (11th Cir. 2010)
- Daker v. Humphrey, Civil Action No. 5:12-CV-461 (CAR), 2013 WL 1296501, at *2 n.1 (M.D. Ga. Mar. 27, 2013)
- Fla. College of Osteopathic Med., Inc. v. Dean Witter, 12 F. Supp. 2d 1306, 1308 (M.D. Fla. 1998)
- Arthur v. King, 500 F.3d 1335, 1343 (11th Cir. 2007)
- Daker v. Dozier, No. 5:17-cv-25 (CAR), 2017 WL 4797522, at *1 (M.D. Ga. Oct. 24, 2017)
- Michael Linet, Inc. v. Village of Wellington, Fla., 408 F.3d 757, 763 (11th Cir. 2005)
- Mercer v. Perdue Farms, Inc., No. 5:10-cv-324 (CAR), 2012 WL 1414321, at *1 (M.D. Ga. Apr. 20, 2012)
- Krstic v. Princess Cruise Lines, Ltd., 706 F. Supp. 2d 1271, 1282 (S.D. Fla. 2010)
- Fla. Found. Seed Producers, Inc. v. Ga. Farms Servs., Inc., 977 F. Supp. 2d 1336 (M.D. Ga. 2013)
- FuQua v. Massey, 615 F. App'x 611, 612 (11th Cir. 2015) (per curiam)
- Timson v. Sampson, 518 F.3d 870, 873 (11th Cir. 2008)
- Johnson v. Brown, 581 F. App'x 777, 781 (11th Cir. 2014)
- Bass v. Benton, 408 F. App'x 298 (11th Cir. 2011) (per curiam)
- Wallace v. Smith, 145 F. App'x 300, 302 (11th Cir. 2005) (per curiam)
- Oxendine v. Williams, 509 F.2d 1405, 1407 (4th Cir. 1975)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION KYRIMA ANDERSON, et al.: Plaintiffs,: VS.: NO. 5:25-cv-00506-MTT-
ALS Warden JESSIE WILLIAMS, et al.: Defendants.: _____:
ORDER Pro se Plaintiff Kyrima Anderson, a prisoner at Pulaski State Prison in Hawkinsville, Georgia, filed a class action lawsuit on behalf of herself and other prisoners held at Pulaski State Prison as well as at Emmanuel Women's Facility.

ECF No. 1. On November 21, 2025, the Court dismissed the complaint. ECF No. 3. Plaintiff Anderson has now filed a motion for reconsideration in which she requests that this Court reconsider its dismissal of this civil action as well as a post judgment order denying her request for appointed counsel. ECF No. 15. Plaintiff's motion appears to be in the nature of a motion to alter or amend the judgment under Fed.

R. Civ. P. 59(e). See *Green v. Drug Enf't Admin.*, 606 F.3d 1296, 1299 (11th Cir. 2010) (recognizing that the courts routinely treat post-judgment motions for reconsideration as Rule 59(e) motions). There are only three circumstances that warrant reconsideration of a prior order under Rule 59(e): "(1) an intervening change in controlling law; (2) the availability of new evidence; and (3) the need to correct clear error or manifest injustice." *Daker v. Humphrey*, Civil Action No. 5:12-CV-461 (CAR), 2013 WL 1296501, at *2 n.1 (M.D.

Ga. Mar. 27, 2013) (quoting *Fla. College of Osteopathic Med., Inc. v. Dean Witter*, 12 F. Supp. 2d 1306, 1308 (M.D. Fla. 1998)); see also *Arthur v. King*, 500 F.3d 1335, 1343 (11th Cir. 2007). Rule 59(e) "cannot serve as a vehicle to relitigate old matters or present the case under a new legal theory... [or] give the moving party another 'bite at the apple' by permitting the arguing of issues and procedures that could and should have been raised prior to judgment." *Daker v. Dozier*, No. 5:17-cv-25 (CAR), 2017 WL 4797522 at *1 (M.D.

Ga. Oct. 24, 2017) (internal quotation marks omitted) (alterations in original); see also *Michael Linet, Inc. v. Village of Wellington, Fla.*, 408 F.3d 757, 763 (11th Cir. 2005). Furthermore, "motions for reconsideration are disfavored" and "relief under Rule 59(e) is an extraordinary remedy to be employed sparingly." *Mercer v. Perdue Farms, Inc.*, No. 5:10-cv-324 (CAR), 2012 WL 1414321, at *1 (M.D.

Ga. Apr. 20, 2012) (quoting *Krstic v. Princess Cruise Lines, Ltd.*, 706 F. Supp. 2d 1271, 1282 (S.D. Fla. 2010)); see also *Daker*, 2017 WL 4797522, at *1 (holding same). Motions for reconsideration under the Local Rules are treated similarly.

In this regard, motions for reconsideration are not to "be filed as a matter of routine practice." M.D. Ga. Local R. 7.6. Moreover, reconsideration is only appropriate when "(1) there has been an intervening change in the law; (2) new and previously unavailable evidence has been discovered through the exercise of due diligence; or (3) the court made a clear error of law." Fla. Found.

Seed Producers, Inc. v. Ga. Farms Servs., Inc., 977 F. Supp. 2d 1336 (M.D. Ga. 2013). 2 Plaintiff Anderson raises no argument and claims within her post-judgment motion on new law or newly discovered evidence. See ECF No. 15. Instead, Plaintiff Anderson states that she "fully agrees with the courts reasons for dismissal, had she not also filed a request for counsel." *Id.* at 1.

It thus appears that the only basis for reconsideration under Rule 59 that Plaintiff Anderson can rely upon is that the Court made some error in its application of the law in dismissing this civil

action. It did not.

The law is clear that pro se prisoners who are not licensed attorneys are barred from representing their fellow prisoners and from bringing class action lawsuits in the federal courts. See e.g. *FuQua v. Massey*, 615 F. App'x 611, 612 (11th Cir. 2015) (per curiam) ("The right to appear pro se ... is limited to parties conducting their own cases, and does not extend to non-attorney parties representing the interests of others." (internal quotation marks omitted)); *Timson v. Sampson*, 518 F.3d 870, 873 (11th Cir.

2008) (holding that the personal right to proceed pro se established under 28 U.S.C. § 1654 "does not extend to the representation of the interests of others."); *Johnson v. Brown*, 581 F. App'x 777, 781 (11th Cir. 2014) (finding pro se litigant cannot bring an action on behalf of fellow inmates); *Bass v. Benton*, 408 F. App'x 298 (11th Cir. 2011) (per curiam) (affirming dismissal of pro se former prisoner's § 1983 class action because "the general provision permitting parties to proceed pro se" does not provide "a personal right that... extend[s] to the representation of the interests of others"); *Wallace v. Smith*, 145 F. App'x 300, 302 (11th Cir.

2005) (per curiam) (citing *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975) (finding it "plain error to permit [an] imprisoned litigant who is unassisted by counsel to represent his fellow inmates in a 3 class action").

Accordingly, the present civil action was properly dismissed prior to service upon any Defendant. See 28 U.S.C. § 1915A(a) (requiring district courts to conduct a preliminary screening of every complaint filed by a prisoner who seeks redress from a government entity, official, or employee); 28 U.S.C. § 1915A(b) (requiring district courts to dismiss a prisoner complaint if it "(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief.").

Because dismissal was proper in this civil action, it was also proper to deny Plaintiff's motion for appointment of counsel (ECF No. 6) whether it was filed prior to judgment or after judgment. CONCLUSION For all the reasons set forth above, this Court finds that Plaintiff Anderson raises no argument or claims within her motion for reconsideration based upon new law or newly discovered evidence.

The Court further finds that Plaintiff Anderson has failed to demonstrate that the Court made any clear error of law or any manifest injustice which would warrant this Court to amend its dismissal without prejudice of this civil action.

Therefore, Plaintiff Anderson has failed to satisfy the standards under Rule 59 of the Federal Rules of Civil Procedure or M.D. Ga. Local R. 7.6 for this Court to alter its previous judgment. Accordingly, Plaintiff Anderson's motion for reconsideration (ECF No. 15) is DENIED.

As previously stated in the order of dismissal (ECF No. 3), this action was dismissed without prejudice so each Plaintiff can file their own separate complaint 4 asserting claims that are personal to that prisoner. SO ORDERED, this 9th day of January, 2026. S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE UNITED STATES DISTRICT COURT 5

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