

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

Darllel Orr v. Cynthia Davis, et al.

Orr v. Davis · No. 4:25 CV 1335 · Decided February 3, 2026

SUMMARY

The United States District Court for the Northern District of Ohio denied Darllel Orr’s motion for relief from judgment under Federal Rule of Civil Procedure 60(b). The court held that Orr’s allegations concerning the investigation and weighing of evidence by a prison Rules Infraction Board did not establish fraud on the court, mistake, or another basis for relief. The court also certified that an appeal could not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Pamela A. Barker
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	February 3, 2026
DOCKET	4:25 CV 1335
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b) for relief from the court's prior judgment dismissing his 42 U.S.C. § 1983 action. The court denied the motion and certified that an appeal could not be taken in good faith.
PRECEDENTIAL VALUE	Unpublished district-court memorandum of opinion and order; precedential status is unknown.
PARTIES	Darllel Orr v. Cynthia Davis, et al.

TOPICS

- motion for reconsideration
- civil rights
- prisoners rights
- section 1983
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Orr was entitled to relief from judgment under Rule 60(b)(3) based on alleged fraud in the prison investigation and disciplinary decision.
2. Whether Orr was entitled to relief under Rule 60(b)(1) because the district court dismissed the action without allowing discovery.
3. Whether the district court could reconsider the merits of the prison disciplinary finding or reweigh the evidence through a Rule 60(b) motion.

HOLDINGS

1. Rule 60(b)(3) addresses fraud on the court in the litigation process, not alleged fraud or evidentiary misconduct occurring between the parties before or during the underlying dispute. Orr therefore failed to establish a basis for relief under Rule 60(b)(3).
2. Orr was not entitled to relief under Rule 60(b)(1) because he did not identify a substantive error of law or fact in the prior dismissal.
3. A district court may not review a prison disciplinary committee's resolution of factual disputes or redetermine an inmate's guilt or innocence; the relevant inquiry is whether the disciplinary hearing satisfied basic due-process requirements.

KEY QUOTATIONS

“Rule 60(b) does not permit parties to relitigate the merits of claims, or to raise new claims that could have been raised during the litigation of the case or in the initial complaint.” (at 1)

“It does not afford a defeated litigant a second chance to convince the court to rule in his or her favor by presenting new explanations, new legal theories, or proof.” (at 1)

“The fraud addressed in Rule 60(b)(3), however, is fraud on the Court in the litigation process.” (at 2)

“Fraud on the Court is fraud which is directed to the judicial machinery itself and is not fraud between the parties prior to the litigation process.” (at 2)

FACTUAL BACKGROUND

Orr challenged a January 2023 prison Rules Infraction Board finding that he used counterfeit legal mail to bring drugs into the prison for sale to other inmates. The Board noted that this was his second conviction for similar conduct in less than three months. Orr disputed the charges and argued that the evidence and investigation were defective, but the district court previously concluded that he had not plausibly alleged a denial of due process.

PROCEDURAL HISTORY

Orr filed an in forma pauperis civil-rights action challenging a prison Rules Infraction Board finding of guilt. The district court dismissed the action on September 15, 2025, because Orr did not plausibly allege a denial of

due process and the court could not reweigh the disciplinary evidence. Orr then moved for relief from judgment based on alleged fraud, prejudice, and the court's failure to permit discovery; the court construed the motion under Rule 60(b)(1) and (3) and denied it.

DISPOSITION

dismissed

CASES CITED

- Jinks v. AlliedSignal, Inc., 250 F.3d 381, 385 (6th Cir. 2001)
- Superintendent, Massachusetts Correctional Institution at Walpole v. Hill, 472 U.S. 445, 455 (1985)
- Johnson v. Bell, 605 F.3d 333, 339 (6th Cir. 2010)
- Carter v. Anderson, 585 F.3d 1007, 1011 (6th Cir. 2009)
- United States v. Reyes, 307 F.3d 451, 455 (6th Cir. 2002)
- Cacevic v. City of Hazel Park, 226 F.3d 483, 490 (6th Cir. 2000)
- Neitzke v. Williams, 490 U.S. 319 (1989)
- Lawler v. Marshall, 898 F.2d 1196 (6th Cir. 1990)
- Sistrunk v. City of Strongsville, 99 F.3d 194, 197 (6th Cir. 1996)