

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Yi Sun v. Laura Taylor Swain, et al.

Sun · No. Civil Action No. 24-3424 (JEB) · Decided December 2, 2025

SUMMARY

The United States District Court for the District of Columbia denies Yi Sun’s motion to reconsider the dismissal of her pro se action. The court concludes that she identifies no intervening change in law, new evidence, clear error, or manifest injustice, and does not challenge the previously identified grounds for dismissal, including lack of personal jurisdiction, improper service, sovereign immunity, failure to exhaust, judicial immunity, and limits on review of other federal district court decisions.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	James E. Boasberg
JURISDICTION	United States District Court for the District of Columbia
DECIDED	December 2, 2025
DOCKET	Civil Action No. 24-3424 (JEB)
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) to reconsider the court's prior dismissal of her pro se action.
STANDARD OF REVIEW	A stringent, discretionary standard applies to a Rule 59(e) motion; relief is warranted only upon an intervening change in controlling law, newly available evidence, or the need to correct clear error or prevent manifest injustice.
PRECEDENTIAL VALUE	Published district court order; persuasive authority within the District of Columbia federal courts, subject to applicable circuit precedent.
PARTIES	Yi Sun v. Laura Taylor Swain, et al.

TOPICS

- motion for reconsideration
- civil procedure

PRACTICE AREAS

- Civil procedure
- Federal post-judgment practice

QUESTIONS PRESENTED

1. Whether Plaintiff satisfied the stringent standard for reconsideration under Federal Rule of Civil Procedure 59(e).
2. Whether Plaintiff identified an intervening change in controlling law, newly available evidence, clear error, or manifest injustice warranting alteration or amendment of the judgment.
3. Whether Plaintiff could use a Rule 59(e) motion to present a new legal theory that was available before judgment.

HOLDINGS

1. A Rule 59(e) motion is discretionary and should not be granted absent an intervening change in controlling law, newly available evidence, or a need to correct clear error or prevent manifest injustice.
2. Rule 59(e) is not a vehicle for presenting a new legal theory that was available before judgment.

KEY QUOTATIONS

“A Rule 59(e) motion ‘is discretionary’ and need not be granted unless the district court finds that there is an ‘intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.’” (1)

“Rule 59(e), moreover, “is not a vehicle to present a new legal theory that was available prior to judgment.”” (1)

FACTUAL BACKGROUND

Plaintiff brought a pro se action that the court previously dismissed on multiple grounds, including lack of personal jurisdiction over two defendants, improper service, sovereign immunity, failure to exhaust a potential Federal Tort Claims Act claim, judicial immunity, and the court’s inability to review decisions of other federal district courts. Plaintiff moved for reconsideration but offered an account of the events underlying her claims without explaining why any of the prior dismissal grounds was erroneous.

PROCEDURAL HISTORY

On November 13, 2025, the court dismissed Plaintiff’s action in a separate memorandum opinion and order. Plaintiff then filed a motion to reconsider, docketed as a response to an order to show cause. The court denied the motion because Plaintiff did not identify any error in the grounds supporting dismissal.

DISPOSITION

denied

CASES CITED

- *Ciralsky v. CIA*, 355 F.3d 661, 673 (D.C. Cir. 2004)
- *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996)

- Nat'l Trust for Historic Pres. v. Dep't of State, 834 F. Supp. 453, 455 (D.D.C. 1993)
- Patton Boggs LLP v. Chevron Corp., 683 F.3d 397, 403 (D.C. Cir. 2012)

OPINION

PER CURIAM.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA YI SUN, Plaintiff, v. Civil Action No. 24-3424 (JEB) LAURA TAYLOR SWAIN, et al., Defendants. ORDER On November 13, 2025, this Court issued a separate Memorandum Opinion and Order dismissing Plaintiff's pro se action. See ECF Nos. 25 (Order); 26 (Mem. Op.). Politely thanking the Court for its time, she now moves to reconsider.

See ECF No. 27 (Mot.) at 1, 12. As she has offered nothing to change the Court's mind, however, it will deny the Motion. Federal Rule of Civil Procedure 59(e) permits the filing of a motion to alter or amend a judgment when such motion is filed within 28 days after the judgment's entry.

The court must apply a "stringent" standard when evaluating Rule 59(e) motions. *Ciralsky v. CIA*, 355 F.3d 661, 673 (D.C. Cir. 2004) (quoting *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996)). "A Rule 59(e) motion 'is discretionary' and need not be granted unless the district court finds that there is an 'intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.'" *Firestone*, 76 F.3d at 1208 (quoting *Nat'l Trust for Historic Pres. v. Dep't of State*, 834 F. Supp. 453, 455 (D.D.C.

1993)); see also 11 Wright & Miller's Federal Practice & Procedure § 2810.1 (3d ed. Sep. 2025 update) (reiterating "four basic grounds" for Rule 59(e) motion). Rule 59(e), moreover, "is not a vehicle to present a 1 new legal theory that was available prior to judgment." *Patton Boggs LLP v. Chevron Corp.*, 683 F.3d 397, 403 (D.C. Cir. 2012).

Although she offers an account of the unfortunate events that befell her, Sun never explains why any of the Court's grounds for dismissal was erroneous. In dismissing the matter, the Court found a lack of personal jurisdiction over two Defendants, a failure to effect proper service on all, a bar of sovereign immunity, no exhaustion of a potential Federal Tort Claims Act claim, judicial immunity, and an inability of this Court to review decisions made by other federal district courts.

See Mem. Op. at 6–9. Not one of these has Sun called into question. As a result, the Court ORDERS that Plaintiff's [27] Motion to Reconsider (docketed as a "Response to Order to Show Cause") is DENIED. /s/ James E. Boasberg JAMES E. BOASBERG Chief Judge Date: December 2, 2025 2