

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Jacob Baxter v. Danny R. Cheadle and Village of Palestine, Illinois

Baxter · No. 25-cv-390-JPG · Decided January 26, 2026

SUMMARY

The United States District Court for the Southern District of Illinois denies Jacob Baxter’s motion for reconsideration of the dismissal of his claims against Danny R. Cheadle and the Village of Palestine, Illinois. The court holds that Baxter identified no newly discovered evidence, intervening change in law, or manifest error warranting relief under Federal Rule of Civil Procedure 59(e). The court also denies Baxter’s request to amend because the pleading deadline had passed and amendment would not cure his failure to identify clearly established law defeating Cheadle’s qualified-immunity defense.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	J. Phil Gilbert
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	January 26, 2026
DOCKET	25-cv-390-JPG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) for reconsideration of the court's prior order and judgment dismissing his claims. The court denied reconsideration and separately denied leave to amend.
STANDARD OF REVIEW	A Rule 59(e) motion may be granted only when the movant clearly establishes newly discovered evidence, an intervening change in controlling law, or a manifest error of law or fact. Reconsideration is generally reserved for extraordinary cases and may not be used to cure a party's prior procedural failures or present arguments that could and should have been raised before judgment.
PRECEDENTIAL VALUE	Unpublished district-court memorandum and order; precedential status is not established by the opinion text.
PARTIES	Jacob Baxter v. Danny R. Cheadle, Village of Palestine, Illinois

TOPICS

motion for reconsideration

qualified immunity

due process

civil rights

civil procedure

PRACTICE AREAS

civil procedure

civil rights

constitutional law

employment law

QUESTIONS PRESENTED

1. Whether Baxter established newly discovered evidence, an intervening change in controlling law, or a manifest error of law or fact warranting relief under Rule 59(e).
2. Whether the court improperly resolved qualified immunity at the pleading stage.
3. Whether Baxter could raise for the first time on reconsideration an argument that Cheadle lacked discretionary authority to terminate him.
4. Whether Baxter should be permitted to amend his complaint after the dismissal.

HOLDINGS

1. The court denied reconsideration because Baxter identified no newly discovered material evidence, intervening change in controlling law, or manifest error of law or fact.
2. The court held that qualified immunity may be resolved on a Rule 12(b)(6) motion when the plaintiff states a constitutional claim but fails as a matter of law to identify clearly established law that would have put a reasonable official on notice that the conduct was unconstitutional.
3. The court declined to consider Baxter's argument that Cheadle lacked discretionary authority because Baxter could and should have raised it in response to the motion to dismiss.
4. The court denied leave to amend because the amendment deadline had passed and amendment would not cure Baxter's failure to identify clearly established law supporting his qualified-immunity claim.

KEY QUOTATIONS

“Rule 59(e) “does not provide a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance arguments that could and should have been presented to the district court prior to the judgment.””

“There is no genuine issue of material fact here; there is a legal failure by the plaintiff to point to clearly established law.”

“Courts are not “in the business of formulating arguments for the parties.””

FACTUAL BACKGROUND

Baxter alleged that Cheadle terminated him from his job as a police officer without a hearing or other opportunity to be heard. The court previously determined that Baxter had adequately alleged a protected property interest in his employment, but concluded that he failed to identify clearly established law showing that Cheadle's conduct violated the Fourteenth Amendment. In seeking reconsideration, Baxter relied on depositions,

a policy manual, a new argument concerning Cheadle's discretionary authority, and additional cases concerning procedural due process.

PROCEDURAL HISTORY

Baxter filed suit alleging, among other claims, that Police Chief Danny Cheadle terminated him from employment without due process in violation of the Fourteenth Amendment. The court previously granted defendants' Rule 12(b)(6) motion, finding that Baxter sufficiently alleged a protected property interest but that Cheadle was entitled to qualified immunity because Baxter failed to identify clearly established law showing the alleged conduct was unconstitutional. The court dismissed the constitutional claim with prejudice and the state-law claims without prejudice. Baxter then sought reconsideration based on purported new evidence, new arguments concerning discretionary authority, and additional legal authority; the court denied the motion.

DISPOSITION

other

CASES CITED

- *Bianchi v. McQueen*, 818 F.3d 309, 319 (7th Cir. 2016)
- *District of Columbia v. Wesby*, 583 U.S. 48, 63, 138 S. Ct. 577, 589 (2018)
- *Reilly v. Will Cnty. Sheriff's Off.*, 142 F.4th 924, 929 (7th Cir. 2025)
- *Runnion ex rel. Runnion v. Girl Scouts of Greater Chi. & Nw. Ind.*, 786 F.3d 510, 519 (7th Cir. 2015)
- *Moro v. Shell Oil Co.*, 91 F.3d 872, 876 (7th Cir. 1996)
- *A&C Constr. & Installation, Co. WLL v. Zurich Am. Ins. Co.*, 963 F.3d 705, 709 (7th Cir. 2020)
- *Burritt v. Ditlefsen*, 807 F.3d 239, 253 (7th Cir. 2015)
- *Harrington v. City of Chicago*, 433 F.3d 542, 546 (7th Cir. 2006)
- *Romo v. Gulf Stream Coach, Inc.*, 250 F.3d 1119, 1122 n. 3 (7th Cir. 2001)
- *Harbert Int'l v. James*, 157 F.3d 1271, 1282-83 (11th Cir. 1998)
- *Coleman v. Frantz*, 754 F.2d 719, 729 (7th Cir. 1985)
- *Hanson v. LeVan*, 967 F.3d 584, 589 (7th Cir. 2020)
- *Alvarado v. Litscher*, 267 F.3d 648, 651-52 (7th Cir. 2001)
- *Gilbert v. Homar*, 520 U.S. 924, 929 (1997)
- *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 546 (1985)
- *United States v. McClellan*, 165 F.3d 535, 550 (7th Cir. 1999)