

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Traveon Cook v. Jennifer Bias, et al.

Cook v. Bias · No. 25-CV-1936 · Decided February 26, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin denied Traveon Cook’s motion to extend time, alter or amend the judgment under Federal Rule of Civil Procedure 59, and obtain relief from judgment under Rule 60. The court held that Cook presented no factual or legal basis demonstrating error in the prior dismissal of his 42 U.S.C. § 1983 complaint and did not establish grounds for Rule 60 relief. The court also explained that it lacked authority to extend appellate deadlines and that Cook should make that request to the Seventh Circuit.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Byron B. Conway
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	February 26, 2026
DOCKET	25-CV-1936
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an extension of time, to alter or amend the judgment under Federal Rule of Civil Procedure 59, and for relief from judgment under Rule 60 after the court screened and dismissed his § 1983 complaint. The court denied the motion.
STANDARD OF REVIEW	A Rule 59(e) motion requires a showing of a manifest error of law or newly discovered evidence. Rule 60(b) relief is an extraordinary remedy available only in exceptional circumstances and for one of the grounds specified in the rule.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not indicated.
PARTIES	Traveon Cook v. Jennifer Bias, et al.

TOPICS

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

PRACTICE AREAS

civil procedure

appellate procedure

civil rights

prisoner civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff established grounds under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment.
2. Whether Plaintiff established any ground under Federal Rule of Civil Procedure 60(b) for relief from the judgment.
3. Whether the district court had authority to extend Plaintiff's appellate deadlines.

HOLDINGS

1. Plaintiff was not entitled to Rule 59(e) relief because he offered no argument showing a manifest error of law or newly discovered evidence.
2. Plaintiff was not entitled to Rule 60(b) relief because he did not demonstrate that any of the rule's six grounds applied.
3. The district court lacked authority to extend Plaintiff's deadlines on appeal; Plaintiff had to request the extension directly from the Seventh Circuit.

KEY QUOTATIONS

“Rule 60(b) relief is “an extraordinary remedy and is granted only in exceptional circumstances.””

“The Court does not have the authority to extend Plaintiff’s deadlines on appeal.”

FACTUAL BACKGROUND

Traveon Cook, proceeding pro se, brought a 42 U.S.C. § 1983 action. The district court screened and dismissed his complaint for failure to state a claim and entered judgment. Cook later sought reconsideration, relief from judgment, and a 120-day extension to review case law, obtain his credit report, and analyze his rights, but offered no factual or legal argument supporting relief.

PROCEDURAL HISTORY

The court screened and dismissed Plaintiff's complaint for failure to state a claim on February 3, 2026, and entered judgment the same day. Plaintiff filed a notice of appeal and the present motion on February 23, 2026. The district court denied reconsideration and relief from judgment and stated that any request to extend appellate deadlines must be directed to the Seventh Circuit.

DISPOSITION

other

CASES CITED

- *Obrieht v. Raemisch*, 517 F.3d 489, 493 (7th Cir. 2008)
- *Oto v. Metropolitan Life Insurance Co.*, 224 F.3d 601, 606 (7th Cir. 2000)
- *Anderson v. Holy See*, 934 F. Supp. 2d 954, 958 (N.D. Ill. 2013)
- *McCormick v. City of Chicago*, 230 F.3d 319, 327 (7th Cir. 2000)

OPINION

Cook

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

TRAVEON COOK,

Plaintiff, v. Case No. 25-CV-1936 JENNIFER BIAS, et al., Defendants.

ORDER

Plaintiff Traveon Cook is representing himself in this 42 U.S.C. § 1983 action. On February 3, 2026, the Court screened and dismissed Plaintiff's complaint for failure to state a claim upon which relief can be granted. Dkt. No. 9. Judgment was entered the same day. Dkt. No. 10. On February 23, 2026, Plaintiff filed a notice of appeal and a motion for an extension of time, to alter or amend the judgment pursuant to Federal Rule of Civil Procedure 59, and for relief from judgment under Federal Rule of Civil Procedure 60. Motions challenging the merits of the Court's ruling are considered under either Rule 59(e) or Rule 60(b) of the Federal Rules of Civil Procedure. See *Obrieht v. Raemisch*, 517 F.3d 489, 493 (7th Cir. 2008). Rule 59(e) motions request that the Court alter or amend judgments on the basis of a manifest error of law or newly discovered evidence. Fed. R. Civ. P. 59(e). A "manifest error" is not demonstrated by the disappointment of the losing party; it is the wholesale disregard, misapplication, or failure to recognize controlling precedent. *Oto v. Metropolitan Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000). Rule 60(b), on the other hand, is "designed to address mistakes attributable to special circumstances, not to address erroneous applications of law." *Anderson v. Holy See*, 934 F. Supp. 2d 954, 958 (N.D. Ill. 2013). Under Rule 60(b), the Court may relieve a party from a final judgment or order for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b); (3) fraud, misrepresentation, or misconduct by an opposing party; (4) the judgment is void; (5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or (6) any other reason that justifies relief. Fed. R. Civ. P. 60(b). Rule 60(b) relief is "an extraordinary remedy and is granted only in exceptional circumstances." *McCormick v. City of Chicago*, 230 F.3d 319, 327 (7th Cir. 2000) (internal citations omitted). Plaintiff does not meet the standard for reconsideration under either Rule. Although Plaintiff requests that the Court alter or amend its judgment or, alternatively, seeks relief

from the Court's judgment, he makes no argument to support his motion. Plaintiff has not offered any factual or legal argument to suggest that the Court's February 3, 2026 screening order was in error. Nor has Plaintiff demonstrated that any of the six grounds for relief from judgment identified in Rule 60(b) apply in this case. Because Plaintiff has not demonstrated that he is entitled to relief, the Court will deny his motion to alter or amend the judgment and for relief from judgment. See Fed. R. Civ. P. 62.1. Plaintiff also requests a 120-day extension of time to review case law, obtain his credit report, and analyze his rights. The Court does not have the authority to extend Plaintiff's deadlines on appeal. Plaintiff may make his request directly to the Court of Appeals for the Seventh Circuit. IT IS THEREFORE ORDERED that Plaintiff's motion for an extension of time, to alter or amend the judgment pursuant to Federal Rule of Civil Procedure 59, and for relief from judgment under Federal Rule of Civil Procedure 60 (Dkt. No. 12) is DENIED. Dated at Green Bay, Wisconsin on February 26, 2026. s/ Byron B. Conway
BYRON B. CONWAY
United States District Judge