

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Boudreaux v. NOPD Officer Prevost, et al.

Boudreaux · No. 25-1073 · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of Louisiana denied Roger Boudreaux’s motion under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment dismissing his 42 U.S.C. § 1983 claims. The court held that he had not shown a manifest error of law or fact, newly discovered evidence, or another basis warranting reconsideration.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	December 19, 2025
DOCKET	25-1073
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment dismissing his § 1983 action with prejudice.
STANDARD OF REVIEW	The district court reviews a Rule 59(e) motion under a discretionary standard, requiring the movant to clearly establish a manifest error of law or fact or present newly discovered evidence.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Roger Boudreaux, Jr. v. NOPD Officer Prevost, City of New Orleans, NOPD Officer Rydell Floyd, Gary's Towing

TOPICS

- motion for reconsideration
- section 1983
- qualified immunity
- government liability
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- constitutional law

QUESTIONS PRESENTED

1. Whether plaintiff established a manifest error of law or fact or newly discovered evidence warranting relief under Rule 59(e).
2. Whether plaintiff's identification of a Louisiana statute and NOPD policies demonstrated error in the prior dismissal of his § 1983 claims.
3. Whether the denial of a second opportunity to amend the complaint was erroneous when amendment had been determined to be futile.

HOLDINGS

1. A Rule 59(e) motion should be granted only when the movant clearly establishes a manifest error of law or fact or presents newly discovered evidence; plaintiff failed to make that showing.
2. Plaintiff's post-judgment reference to a Louisiana statute did not establish error because he pleaded only a § 1983 claim, and § 1983 does not provide a remedy for violations of state statutes.
3. Plaintiff's identification of NOPD policies did not establish Rule 59(e) error because he did not show a policy or custom that was the moving force behind the alleged constitutional violations or otherwise overcome the court's qualified-immunity determination.
4. Plaintiff failed to establish error in the denial of a second opportunity to amend because he did not address the court's determination that amendment would be futile.

KEY QUOTATIONS

“To succeed on a Rule 59(e) motion, a party must “clearly establish either a manifest error of law or fact or must present newly discovered evidence.””

“reconsideration of a judgment post-entry “is an extraordinary remedy that should be used sparingly.””

FACTUAL BACKGROUND

Boudreaux's § 1983 claims arose from a traffic stop conducted by NOPD Officers Christopher Prevost and Rydell Floyd, followed by his arrest and the impoundment of his vehicle. He sued the City of New Orleans, the officers, and Gary's Towing, but the complaint was dismissed with prejudice.

PROCEDURAL HISTORY

Boudreaux, proceeding pro se, filed a § 1983 action arising from a traffic stop, arrest, and vehicle impoundment. The district court dismissed the complaint with prejudice on September 19, 2025, entered judgment on September 22, 2025, and denied plaintiff's Rule 59(e) motion filed on October 20, 2025.

DISPOSITION

other

CASES CITED

- Edward H. Bohlin Co. v. Banning Co., 6 F.3d 350, 355 (5th Cir. 1993)

- Templet v. HydroChem Inc., 367 F.3d 473, 479 (5th Cir. 2004)
- Ross v. Marshall, 426 F.3d 745, 763 (5th Cir. 2005)
- Woodard v. Andrus, 419 F.3d 348, 353 (5th Cir. 2005)

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