

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Eric Esquire Deters v. Judge Michael Barret, et al.

Deters · No. 1:25-cv-640 · Decided January 16, 2026

SUMMARY

The United States District Court for the Southern District of Ohio denied Eric Esquire Deters’s motion for reconsideration under Federal Rule of Civil Procedure 59(e). Although the court found no basis to reconsider its dismissal for lack of standing, immunity, and implausibility, it vacated and ordered sealed its prior opinion and judgment to correct an inaccurate statement regarding Deters’s Kentucky law-license status.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Sara Lioi
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	January 16, 2026
DOCKET	1:25-cv-640
DISPOSITION	vacated
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 59(e) for reconsideration of the court's prior memorandum opinion and judgment dismissing the complaint under Rule 12(b)(1).
STANDARD OF REVIEW	A Rule 59(e) motion requires a showing of clear error of law, newly discovered evidence, an intervening change in controlling law, or a need to prevent manifest injustice; the motion must be filed within 28 days of the judgment.
PRECEDENTIAL VALUE	Unknown
PARTIES	Eric Esquire Deters v. Judge Michael Barret, et al.

TOPICS

- motion for reconsideration
- subject matter jurisdiction
- standing
- motions to dismiss
- civil procedure

PRACTICE AREAS

Civil procedure

Constitutional law

QUESTIONS PRESENTED

1. Whether Deters established a basis for relief under Federal Rule of Civil Procedure 59(e).
2. Whether the court should vacate and correct its prior memorandum opinion and judgment because they inaccurately described the status of Deters's Kentucky law license.

HOLDINGS

1. Deters was not entitled to reconsideration because he did not demonstrate clear error of law, newly discovered evidence, an intervening change in controlling law, or a need to prevent manifest injustice.
2. Although the factual error did not justify reconsideration of the dismissal, the court vacated and sealed the prior memorandum opinion and judgment and ordered issuance of corrected documents.

KEY QUOTATIONS

“In order to justify the alteration or amendment of a judgment under Rule 59(e), the movant must demonstrate: ‘(1) a clear error of law; (2) newly discovered evidence; (3) an intervening change in controlling law; or (4) a need to prevent manifest injustice.’” (at 2)

“For the foregoing reasons, the motion for reconsideration is denied; however, for reasons discussed above, the Court’s memorandum opinion and order and related judgment entry (Doc. Nos. 37 and 38) are hereby vacated, and the Clerk is ordered to seal those documents.” (at 2)

FACTUAL BACKGROUND

The court's prior opinion inaccurately stated that Deters had been disbarred from practicing law in Kentucky. Upon review, the court determined that Deters had never been disbarred but was a former Kentucky Bar member whose license had been suspended for disciplinary reasons and whose reinstatement had been denied. The court concluded that this factual error was not germane to the prior dismissal ruling.

PROCEDURAL HISTORY

On December 23, 2025, the court dismissed the complaint against all defendants under Rule 12(b)(1), finding that Deters lacked Article III standing and that many claims were barred by immunity or were implausible. Deters moved for reconsideration, principally asserting that the court had inaccurately stated that he had been disbarred in Kentucky. The court denied reconsideration, but vacated and sealed the prior memorandum opinion and judgment so that corrected documents could issue.

DISPOSITION

vacated

CASES CITED

- *Beasley v. United States*, No. 24-5092, 2024 WL 5400265, at *2 (6th Cir. Aug. 16, 2024)
- *Betts v. Costco Wholesale Corp.*, 558 F.3d 461, 474 (6th Cir. 2009)
- *Leisure Caviar, LLC v. U.S. Fish & Wildlife Serv.*, 616 F.3d 612, 615 (6th Cir. 2010)
- *Deters v. Kentucky B. Ass’n*, 627 S.W.3d 917, 928-29 (Ky. 2021)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION ERIC ESQUIRE DETERS,) CASE NO. 1:25-cv-640)) Plaintiff,) CHIEF JUDGE SARA LIOI) vs.)) MEMORANDUM OPINION) AND ORDER JUDGE MICHAEL BARRET, et al.,))) Defendants.) On December 23, 2025, the Court issued a memorandum opinion and order dismissing the complaint against all defendants pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

(Doc. No. 37 (MOO); Doc. No. 38 (Judgment).) In particular, the Court determined that plaintiff Eric Esquire Deters lacked standing to assert the claims raised in the complaint, and the Court further ruled that many of the claims were either barred by an applicable immunity or were entirely implausible. (Doc. No. 37, at 2.) Now before the Court is plaintiff’s motion, pursuant to Fed.

R. Civ. P. 59, for reconsideration of the Court’s opinion and judgment. (Doc. No. 43.) “In order to justify the alteration or amendment of a judgment under Rule 59(e), the movant must demonstrate: ‘(1) a clear error of law; (2) newly discovered evidence; (3) an intervening change in controlling law; or (4) a need to prevent manifest injustice.’” *Beasley v. United States*, No. 24-5092, 2024 WL 5400265, at *2 (6th Cir.

Aug. 16, 2024) (quoting *Betts v. Costco Wholesale Corp.*, 558 F.3d 461, 474 (6th Cir. 2009) (further citation omitted)); see *Leisure Caviar, LLC v. U.S. Fish & Wildlife Serv.*, 616 F.3d 612, 615 (6th Cir. 2010) (similar) (citations omitted). Any such motion must be filed within 28 days of the judgment from which the party seeks relief. Fed. R. Civ. P. 59(e). Plaintiff does not offer any grounds for relief under Rule 59(e).

Notably, he does not even mention the Court’s determination that he lacks Article III standing to assert his claims, and he fails to demonstrate a clear legal error relative to the Court’s finding of immunity and/or implausibility.

Because plaintiff has failed to present a clear error of law, newly discovered evidence, an intervening change in controlling law, or a need to prevent manifest injustice, his motion must be denied. Rather, the crux of plaintiff’s motion is his concern that the Court inaccurately represented in its memorandum opinion the status of his law license. (Doc. No. 43, at 1.)

He notes that the Court incorrectly observed that he was disbarred from the practice of law in the State of Kentucky, when in fact he has never been disbarred. (Id.) Upon further review, the Court agrees with Deters that he has never been disbarred. Rather, Deters is a former member of the Kentucky Bar, suspended for disciplinary reasons. See *Deters v. Kentucky B. Ass'n*, 627 S.W.3d 917, 928-29 (Ky.

2021) (denying reinstatement of law license); (Kentucky Bar Association > For Public > KBA Currently Suspended and Disbarred Lawyers, last visited 1/16/2026.). The Court regrets this factual error and, even though it is not germane to the Court's ruling dismissing this action, it will issue a corrected memorandum opinion and order rectifying the error.

For the foregoing reasons, the motion for reconsideration is denied; however, for reasons discussed above, the Court's memorandum opinion and order and related judgment entry (Doc. Nos. 37 and 38) are hereby vacated, and the Clerk is ordered to seal those documents.

The Court 2 will issue a corrected opinion and order (and accompanying judgment entry) rectifying any factual inaccuracy regarding the status of plaintiffs law license. IT IS SO ORDERED. Dated: January 16, 2026 Bs we HONORABLE SARA LIOI CHIEF JUDGE UNITED STATES DISTRICT COURT