

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Ian Wright v. Angel Quiros, et al.

Wright v. Quiros · No. 3:23-cv-949 (SRU) · Decided December 8, 2025

SUMMARY

The court denies Ian Wright's motion for reargument or reconsideration concerning the timeliness and treatment of his Rule 59(e) motion. The court explains that the Rule 59(e) deadline could not be extended, but permits Wright to proceed with a Rule 60(b) motion or waive it and pursue his pending appeal.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Stefan R. Underhill
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	December 8, 2025
DOCKET	3:23-cv-949 (SRU)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff moved for reargument or reconsideration after the court denied or declined to treat his untimely Rule 59(e) motion as timely. The court denied the motion and directed the plaintiff either to proceed under Rule 60(b) or waive that motion and pursue his pending appeal.
PRECEDENTIAL VALUE	Unpublished district court order; generally nonprecedential.
PARTIES	Ian Wright v. Angel Quiros, et al.

TOPICS

- motion for reconsideration
- motion to amend
- appellate procedure
- civil procedure
- remedies

PRACTICE AREAS

- Civil procedure
- Federal appellate procedure
- Post-judgment remedies
- Prisoner civil rights

QUESTIONS PRESENTED

1. Whether the court could extend the time for Wright to file a Rule 59(e) motion beyond the 28-day period.

2. Whether Wright's untimely Rule 59(e) motion could be treated as a Rule 60(b) motion.
3. Whether Rule 60(b)(1) permits relief from a final judgment based on a judge's substantial error of law.
4. Whether Wright's motion for reargument or reconsideration should be granted.

HOLDINGS

1. A court may not extend the time for filing a Rule 59(e) motion beyond Rule 59(e)'s 28-day deadline.
2. An untimely Rule 59(e) motion may be construed as a Rule 60(b) motion where the circumstances permit, because Rule 60(b) motions are not subject to the 28-day Rule 59(e) deadline.
3. The term 'mistake' in Rule 60(b)(1) includes a judge's errors of law.

KEY QUOTATIONS

“a court may not extend the time for a plaintiff to file a Rule 59(e) motion past the 28-day time frame outlined in Rule 59(e).”

“The Supreme Court has held that the word “mistake” in Rule 60(b)(1) “includes a judge’s errors of law.””

FACTUAL BACKGROUND

Judgment was entered on October 1, 2025. Wright filed his Rule 59(e) motion on November 18, 2025, more than 28 days after entry of judgment, after misunderstanding an October 22 order that extended only the time to file a notice of appeal. Because the court recognized that its order contributed to the confusion and Wright was proceeding pro se, it construed the untimely Rule 59(e) motion as a Rule 60(b) motion.

PROCEDURAL HISTORY

Wright filed motions seeking extensions of time to file a notice of appeal and a Rule 59(e) motion. The court granted an extension for the notice of appeal under Federal Rule of Appellate Procedure 4(a)(5)(C), but did not and could not extend the Rule 59(e) deadline beyond 28 days. Wright subsequently filed his Rule 59(e) motion more than six weeks after judgment, and the court construed it as a Rule 60(b) motion. Wright then moved for reargument or reconsideration, which the court denied.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

No remand. Wright was directed to file a notice by December 22, 2025 stating whether he wished to pursue a Rule 60(b) motion. If he proceeded under Rule 60(b), he was required to submit briefing by January 26, 2026, after which defendants would have 21 days to respond.

CASES CITED

- Banister v. Davis, 590 U.S. 504, 507-08 (2020)

- Matheson v. Deutsche Bank Natl. Tr. Co., 706 F. App'x 24, 26 (2d Cir. 2017)
- Kemp v. United States, 596 U.S. 528, 532 (2022)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT IAN WRIGHT, Plaintiff, v. No. 3:23-cv-949 (SRU) ANGEL QUIROS, et al., Defendants. ORDER DENYING MOTION FOR REARGUMENT OR RECONSIDERATION On October 21, 2025, Wright filed two motions: a motion for an extension of time to file a notice of appeal, and a motion for an extension of time to file a Rule 59(e) motion to alter or amend the judgment.

See Doc. No. 78. A day later, on October 22, 2025, I granted the first of these two motions and permitted Wright to file a notice of appeal by December 2, 2025. See Doc. No. 79 (“ORDER granting Plaintiff’s Motion for Extension of Time until December 2, 2025 to File a Notice of Appeal”). That extension was permitted under Fed. R. App. P. 4(a)(5)(C). I did not rule on the second motion.

In any case, I had no authority to grant the second motion, because a court may not extend the time for a plaintiff to file a Rule 59(e) motion past the 28-day time frame outlined in Rule 59(e). See Fed. R. Civ. P. 6(b)(2) (“A court must not extend the time to act” under Rule 59(b).); Banister v. Davis, 590 U.S. 504, 507-08 (2020) (explaining that there is “no possibility of an extension” for a Rule 59(e) motion).

Wright misunderstood my October 22, 2025 order and believed that I extended the time for him to file a Rule 59(e) motion until December 2, 2025. Consequently, he filed his Rule 59(e) motion on November 18, 2025—more than six weeks after the entry of judgment on October 1, 2025. See Doc. Nos. 78, 79.

Because I understand the confusion my Order caused—and because submissions from pro se plaintiffs “should be reviewed with special solicitude,” Matheson v. Deutsche Bank Natl. Tr. Co., 706 F. App'x 24, 26 (2d Cir. 2017)—I subsequently construed his Rule 59(e) motion, doc. no. 80, as a Rule 60(b) motion so that it would not be time barred. See Doc. No. 83. Rule 60(b) motions, unlike Rule 59(e) motions, may be filed more than 28 days after the entry of judgment.

See Fed. R. Civ. P. 60(c)(1) (“A motion under Rule 60(b) must be made within reasonable time—and for reasons (1), (2), and (3) no more than a year after the entry of the judgment.”). Wright is incorrect in asserting that Rule 60(b) motions may not be used to correct substantial errors of law. See Doc. No. 89 at 2.

The Supreme Court has held that the word “mistake” in Rule 60(b)(1) “includes a judge’s errors of law.” Kemp v. United States, 596 U.S. 528, 532 (2022); see Fed. R. Civ. P. 60(b)(1) (permitting a court to relieve a party from a final judgment because of “mistake, inadvertence, surprise, or excusable neglect”). If Wright cannot avail himself of Rules 60(b)(1) through (b)(5), he may then

attempt to use Rule 60(b)(6), which is a catchall that allows for relief for “any other reason that justifies relief.” For the foregoing reasons, Wright’s Motion for Reargument or Reconsideration, Doc.

No. 89, is DENIED. He may not pursue his Rule 59(e) motion because it was not filed within 28 days of the entry of judgment. Instead, Wright may proceed in either of two ways. (1) He may pursue his Rule 60(b) motion, which would require him to submit briefing by January 26, 2026.

The Defendants would then have 21 days from the filing of his brief to respond. Or (2) he may choose to waive his Rule 60(b) motion and pursue his pending appeal to the Second Circuit. Wright should file a notice by 12/22/2025 stating whether he wishes to pursue a Rule 60(b) motion. SO ORDERED at Bridgeport, Connecticut this 8th day of December, 2025. /s/ STEFAN R. UNDERHILL Stefan R. Underhill United States District Judge