

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**ORDERED, ADJUDGED and  
DECREED** that Applicant's motion for  
reconsideration (Doc. No. 49) is hereby  
**DENIED.**

In re:

Case No. 6:03-bk-12002-ABB  
Chapter 13

Dated this 4<sup>TH</sup> day of June, 2009.

MICHAEL EDWARD GERAGHTY and  
JUDY ANN GERAGHTY,

/s/ Arthur B. Briskman  
ARTHUR B. BRISKMAN  
United States Bankruptcy Judge

Debtors.  
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**ORDER**

This matter came before the Court on the Letter (Doc. No. 49) filed by Douglas Bell d/b/a DREK Enterprise ("Applicant"), a funds locator, requesting reconsideration of the Order entered on May 21, 2009 Order (Doc. No. 45) denying Applicant's Application for Return of Unclaimed Funds. Applicant seeks reconsideration based upon belatedly presented case law.

The Letter, to the extent it constitutes a motion for reconsideration pursuant to Federal Rule of Civil Procedure 59(e), is untimely. Federal Rule of Civil Procedure 59(e), made applicable to bankruptcy proceedings by Federal Rule of Bankruptcy Procedure 9023, sets forth a motion for reconsideration "must be filed no later than 10 days after the entry of the judgment." FED. R. CIV. P. 59(e). The Letter was not filed within ten days of the entry of the May 21, 2009 Order.

Applicant, to the extent the Letter constitutes a motion for reconsideration pursuant to Federal Rule of Civil Procedure 60(b), has not established grounds for reconsideration. Federal Rule of Civil Procedure 60, made applicable to bankruptcy proceedings by Federal Rule of Bankruptcy Procedure 9024, allows for relief from a judgment or order pursuant to certain circumstances including clerical mistakes, inadvertence, surprise, excusable neglect, newly discovered evidence, and fraud. FED. R. CIV. P. 60(b). Applicant has failed to establish any grounds justifying relief from the Order. Applicant's request for reconsideration is due to be denied.

Accordingly, it is