

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

February 13, 2018

TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

WILLIAM CAMPOS,

Plaintiff - Appellant,

v.

MANTECH INTERNATIONAL
CORPORATION, a Virginia
corporation,

Defendant - Appellee.

No. 17-1297
(D.C. No. 1:14-CV-03088-MSK-MEH)
D. Colorado

ORDER AND JUDGMENT*

Before **MATHESON, KELLY, and MURPHY**, Circuit Judges.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

*This order and judgment is not binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

On November 14, 2014, Appellant William Campos filed a complaint in federal district court alleging claims of discrimination on the basis of disability in violation of the Americans with Disabilities Act, retaliation under Section 503 of the Rehabilitation Act of 1973, and retaliation under the Colorado Anti-Discrimination Act. The district court resolved Appellee's motion for summary judgment on August 2, 2016, by entering judgment in favor of Appellee on Campos's federal claims and dismissing his Colorado state claim without prejudice. Between August 11, 2016, and December 12, 2016, Campos filed three motions for reconsideration. Each was denied by the district court.

On July 25, 2017, Campos filed a Motion for Relief from Judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. The district court denied the motion and Campos filed a timely notice of appeal. This court reviews the denial of a Rule 60(b) motion for an abuse of discretion. *Weitz v. Lovelace Health Sys., Inc.*, 214 F.3d 1175, 1181 (10th Cir. 2000). Having reviewed the entire record, including all the district court's prior orders in this matter, we hold that the court did not abuse its discretion when it denied Campos's July 25, 2017, motion. The district court correctly concluded that Campos is not entitled to relief under Rule 60(b) and there is no error in the court's statement that "a motion for reconsideration is not an appropriate vehicle to use to present arguments that could have been raised previously and were not, nor is it a substitute for taking an appeal."

The district court's order of July 27, 2017, denying Campos's Rule 60(b) motion, is **affirmed**.

ENTERED FOR THE COURT

Michael R. Murphy
Circuit Judge