

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 25-2479

Terry Antonio Lee

Plaintiff - Appellant

v.

Dexter Payne, Director, Arkansas Division of Correction

Defendant - Appellee

Appeal from U.S. District Court for the Eastern District of Arkansas - Central
(4:24-cv-00497-KGB)

JUDGMENT

Before GRUENDER, ERICKSON, and GRASZ, Circuit Judges.

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed.

October 14, 2025

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

TERRY ANTONIO LEE

PETITIONER

v.

Case No. 4:24-cv-00497-KGB

DEXTER PAYNE, Director of the Arkansas
Division of Correction

RESPONDENT

ORDER

Before the Court is a motion to alter or amend judgment filed by *pro se* petitioner Terry Antonio Lee (Dkt. No. 22).

Motions to alter or amend judgment under Federal Rule of Civil Procedure 59(e) serve “the limited function of correcting ‘manifest errors of law or fact or to present newly discovered evidence.’” *United States v. Metro. St. Louis Sewer Dist.*, 440 F.3d 930, 933 (8th Cir. 2006) (quoting *Innovative Home Health Care v. P. T.-O. T. Assoc. of the Black Hills*, 141 F.3d 1284, 1286 (8th Cir. 1998)). Furthermore, “[s]uch motions cannot be used to introduce new evidence, tender new legal theories, or raise arguments which could have been offered or raised prior to entry of judgment.” *Id.* (quoting *Innovative Home Health Care*, 141 F.3d at 1286). District courts thus “ha[ve] broad discretion in determining whether to grant or deny a motion to alter or amend judgment pursuant to Rule 59(e).” *Briscoe v. Cnty. of St. Louis*, 690 F.3d 1004, 1015 (8th Cir. 2012) (quoting *id.*).

In this case, Mr. Lee’s motion breaks no new ground. For the reasons stated in the Court’s September 3, 2024, Order denying his motion for recusal (Dkt. No. 18) and the Court’s January 21, 2025, Order dismissing this case (Dkt. No. 20), the Court denies the motion (Dkt. No. 22).

The Court grants Mr. Lee’s motion for status update (Dkt. No. 23) and considers this Order sufficient to apprise Mr. Lee of the status of this case.

It is so ordered this 17th day of July, 2025.



Kristine G. Baker

Chief United States District Judge

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ORDER

The petition for rehearing is denied as overlength.

November 25, 2025

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Susan E. Bindler

**Additional material
from this filing is
available in the
Clerk's Office.**