

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 08-13880
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT November 18, 2008 THOMAS K. KAHN CLERK
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D. C. Docket No. 07-02470-CV-TCB-1

JAMES HOOD,
METRO ATLANTA TASKFORCE FOR THE HOMELESS,

Plaintiffs-Appellants,

versus

GOVERNOR GEORGE ERVIN (SONNY) PERDUE,
ATTORNEY GENERAL THURBERT BAKER,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Georgia

(November 18, 2008)

Before BLACK, PRYOR, and HILL, Circuit Judges.

PER CURIAM:

Dr. James Hood and Metro Atlanta Taskforce for the Homeless appeal the denial of their post-judgment motion to amend their complaint, filed pursuant to Rule 59. The district court denied the motion, holding that plaintiffs had not presented any newly discovered evidence, nor established any intervening development or change in the controlling law, or need to correct a clear error or manifest injustice, as required by *Preserve Endangered Areas of Cobb's History, Inc. v. United States Army Corps of Eng'rs*, 916 F. Supp. 1557, 1560 (N.D. Ga. 1995).¹ The district court noted that in the absence of a showing of any of the above, a motion for reconsideration “is not an opportunity for the moving party . . . to instruct the court on how the court ‘could have done it better’ the first time.” *Id.* Because we find no abuse of discretion in the district court’s conclusion, we

AFFIRM.

¹To the extent that the plaintiffs’ motion could be construed to argue that the dismissal of their complaint without leave to amend was a miscarriage of justice, the district court noted that requesting leave to amend in a footnote in their brief in opposition to dismissal, without specifying the substance of the amendment nor attaching a copy of the amended complaint does not satisfy the law of this circuit. *See Atkins v. McInteer*, 470 F.3d 1350, 1361-62 (11th Cir. 2006).