

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-12140
Non-Argument Calendar

CYRILLE KOUAMBO BECKODRO,

Plaintiff-Appellant,

versus

JOHN DOE 1,
JOHN DOE 2,
JOHN DOE 3,
JOHN DOE 4,
JOHN DOE 5, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Georgia
D.C. Docket No. 4:24-cv-00199-LGW-BWC

Before ABUDU, KIDD, and ANDERSON, Circuit Judges.

PER CURIAM:

Cyrille Kouambo Beckodro, proceeding pro se, appeals the district court’s denial of his second motion requesting reconsideration of the order dismissing his civil complaint. After careful review, we affirm, as we can discern no abuse of discretion by the district court in denying Beckodro relief under Federal Rule of Civil Procedure 60(b).

I. BACKGROUND

In August 2024, Beckodro filed a complaint against multiple John Doe defendants, alleging that he had been harassed and discriminated against in violation of various state and federal laws. As relevant here, his complaint included allegations that (1) he was subjected to stalking and cyberstalking; (2) his neighbors were loud and disruptive; (3) the United States Postal Service (“USPS”) discriminated against him by delaying the delivery of packages; and (4) the Georgia Southern University bursar’s office “alleged that [he was] an international student,” denied his application to waive mandatory insurance, cancelled his summer course registration, and billed him at a higher rate than other students. A magistrate judge recommended dismissing the complaint for failure to state a claim for relief. When Beckodro did not file any objections, the district judge adopted the magistrate judge’s recommendation.

After the district court entered final judgment, Beckodro requested leave to file untimely objections to the magistrate judge’s recommendation and moved for reconsideration of the dismissal order under Federal Rules of Civil Procedure 59(e) and 60(b). In his

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submitted objections, Beckodro argued, in relevant part, that the district court erred by failing to allow limited discovery so that he could uncover the identities of the John Doe defendants, improperly dismissed his complaint at the Rule 12(b)(6) stage, and misapplied substantive law. He also submitted several pieces of evidence with this filing, including e-mail correspondence with a Georgia Southern administrator and screenshots of package tracking updates. The district judge accepted Beckodro's out-of-time objections, overruled them, and denied his reconsideration motion as moot.

Beckodro then moved to supplement the record, asserting that he “now possesse[d] reliable evidence” to support his claims of “ongoing interference with federal mail” and “targeted harassment” in the form of “individuals operating loud vehicles and coordinating disruptive noise.” He argued that “[f]ailure to consider these newly acquired facts would result in manifest injustice—particularly in a case involving a pro se litigant asserting civil rights violations.” Beckodro also filed a separate motion for discovery and argued, as relevant, that (1) discovery was necessary to ensure evidence was preserved, (2) dismissal was premature because he “lacked discovery to name unknown defendants,” and (3) he was improperly denied the “opportunity to be heard” because his complaint was dismissed before discovery or trial.

Beckodro then filed another motion for reconsideration. He asserted that he had newly discovered video footage demonstrating that he was the target of “noise-based harassment,” documents

showing that various legal filings and packages were misdelivered by USPS, and correspondence from Georgia Southern evidencing “[d]iscrimination and [r]etaliatio[n] by [s]chool [o]fficials.” He further contended that (1) the district court’s dismissal was premature because he was denied the opportunity to engage in limited discovery to uncover the defendants’ identities, (2) the court ignored his request to preserve evidence, and (3) the court did not construe his complaint liberally or “consider the cumulative and cross-jurisdictional impact of the factual allegations.” He also alleged that he continued to be subjected to noise-based harassment, surveillance, and discriminatory retaliation. In concluding his motion, Beckodro requested relief “pursuant to Rule 60(b)(2) and (6).”

The district court denied Beckodro’s Rule 60(b) motion and denied as moot his evidentiary motions. The court found that Beckodro failed to show that any of his newly discovered evidence would be material to his claims of discrimination or would alter the court’s ultimate reasons for dismissing the complaint.

Beckodro thereafter filed his notice of appeal, which designated the orders dismissing his complaint and denying his first and second motions for reconsideration. Our Court dismissed much of Beckodro’s appeal as untimely, concluding that we were limited to considering the district court’s order denying his second motion for reconsideration.

II. STANDARD OF REVIEW

A district court’s ruling on a Rule 60(b) motion is reviewed for an abuse of discretion, which is “limited and deferential.”

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BLOM Bank SAL v. Honickman, 145 S. Ct. 1612, 1622 (2025) (quoting *Gonzalez v. Crosby*, 545 U.S. 524, 535 (2005)). “Discretion means the district court has a range of choice, and that its decision will not be disturbed as long as it stays within that range and is not influenced by any mistake of law.” *Betty K Agencies, Ltd. v. M/V MONADA*, 432 F.3d 1333, 1337 (11th Cir. 2005) (citation modified).

Further, “we can affirm for any reason supported by the record, even if the district court did not rely on that reason.” *Wright v. City of St. Petersburg*, 833 F.3d 1291, 1294 (11th Cir. 2016) (citation modified).

III. DISCUSSION

As noted above, Beckodro indicated that he filed the instant motion for reconsideration “pursuant to Rule 60(b)(2) and (6),” and he maintains on appeal that he is entitled to such relief. We will address each subsection in turn.

Rule 60(b)(2) permits a court to relieve a party from final judgment if the party presents “newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b).” Fed. R. Civ. P. 60(b)(2). For the court to grant relief based upon newly discovered evidence, a movant must meet a five-part test: (1) the evidence must be newly discovered since the dispositive ruling; (2) due diligence on the part of the movant to discover the new evidence must be shown; (3) the evidence must not be merely cumulative or impeaching; (4) the evidence must be material; and (5) the evidence must be such that it would probably produce a different result than the one achieved in

the dispositive ruling. *Waddell v. Hendry Cnty. Sheriff's Off.*, 329 F.3d 1300, 1309 (11th Cir. 2003). Beckodro contends that he satisfied each of these factors and that the district court failed to “meaningfully address” this five-part test. We disagree.

As the district court correctly found, Beckodro’s motion failed to address how any of his alleged newly discovered evidence would be material or alter the court’s ultimate reasons for dismissing his original complaint with prejudice. Rather, Beckodro broadly asserted that his newly discovered evidence would help establish that he was the target of “noise-based harassment” and repeatedly experienced delayed or misdelivered packages. Because he failed to explain how the outcome of his civil proceedings would have been different if this newly discovered evidence was considered, the district court correctly determined Beckodro was not entitled to Rule 60(b)(2) relief. *See id.*

We now turn to Beckodro’s arguments related to Rule 60(b)(6), which is a catch-all provision authorizing the district court to relieve a party from a final judgment for “any other reason that justifies relief.” Fed. R. Civ. P. 60(b)(6). “Rule 60(b)(6) motions must demonstrate that the circumstances are sufficiently extraordinary to warrant relief.” *Cano v. Baker*, 435 F.3d 1337, 1342 (11th Cir. 2006) (citation modified).

Beckodro argues that he alleged such “extraordinary circumstances” in the form of ongoing post-judgment harm, and the court failed to “meaningfully evaluate” his arguments. He is correct that the district court did not explicitly address Rule 60(b)(6) in

its order denying relief. But Beckodro did not plainly raise a separate claim under that subsection. And it is not clear whether any of Beckodro's claims fall under Rule 60(b)(6)'s catch-all provision because they are largely duplicative of the arguments contained in his motions to supplement the record and for discovery, all of which were premised upon purportedly new evidence.

Indeed, to the extent Beckodro's arguments were an extension of his broad request for reconsideration based on newly discovered evidence, such a claim could not be raised under Rule 60(b)(6). See *BLOM Bank SAL*, 145 S. Ct. at 1619–20; *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 863 (1998) (stating that Rule 60(b)(6) “grants federal courts broad authority to relieve a party from a final judgment . . . provided that the motion is . . . not premised on one of the grounds for relief enumerated in clauses (b)(1) through (b)(5)”). And insofar as Beckodro raised a discrete argument under Rule 60(b)(6), we can discern no “extraordinary circumstances” warranting reconsideration of the district court's dismissal order. See *Cano*, 435 F.3d at 1342 (explaining that, even if extraordinary circumstances have been shown, “whether to grant the requested relief is a matter for the district court's sound discretion” (citation modified)).

In short, while courts are required to afford pro se filings liberal construction, we do not require courts to act as “*de facto* counsel” or “rewrite an otherwise deficient pleading in order to sustain an action.” *Campbell v. Air Jam. Ltd.*, 760 F.3d 1165, 1168–69 (11th Cir. 2014) (citation modified). Therefore, even though the district

court did not explicitly address each of Beckodro's arguments, we find no abuse of discretion in the court's denial of relief under Rule 60(b)(2) or (b)(6).

IV. CONCLUSION

We **AFFIRM** the district court's denial of Beckodro's second Rule 60(b) motion.