

Phillip Brewer,
Petitioner
v.
State of Delaware,
Respondent.

Date Decided: January 5, 2026

Now this 5th day of January, 2026, it appears to the Court that:

- 1) On November 4, 2025, the Court denied Phillip Brewer's ("Petitioner") Motion for a Default Judgment with an oral ruling.
- 2) On November 17, 2025 Petitioner filed an appeal to the Delaware Supreme Court which was dismissed on December 12, 2025.

- 3) On December 8, 2025, Petitioner filed the instant Motion for Reconsideration pursuant to “Delaware Court of Chancery Rules 59(e) and 59(f), and Federal Rule for Civil Procedure 60(b).”
- 4) Superior Court Civil Rule 59(e) states “[a] motion for reargument shall be served and filed within 5 days after the filing of the Court’s opinion of decision.” This means that the Petitioner’s motion should have been filed by November 12, 2025. Therefore, the Court does not have jurisdiction to hear the motion.
- 5) Moreover, “[a] motion for reargument should not be used merely to rehash the arguments already decided by the Court.”¹ Rather the rule is in place to allow parties to argue that the Court misapprehended the law or legal principles applicable to the ruling.² Petitioner provides nothing new for the Court to consider other than believing he was treated unequally and unfairly. This is not reargument that warrants reconsideration even if the motion was timely made.
- 6) Petitioner’s Motion for Reconsideration is DENIED as both untimely and meritless.

¹ *Wilmington Trust Co. v. Nix*, 2002 WL 356371 at*1 (Del. Super. February 21, 2002).

² *Id.*

IT IS SO ORDERED.

/s/ Mark H. Conner

Mark H. Conner, Judge

oc: Prothonotary
cc: Colleen Durkin, Deputy Attorney General
Phillip Brewer, *Pro Se*