

trial court's disposition of the reconsideration motion is based upon a factual finding, it is reviewed for clear error.

**Civil Procedure > Judgments > Relief From Judgment > Motions to Alter & Amend**  
[HN25] See D.V.I., R. 7.3.

**Civil Procedure > Judgments > Relief From Judgment > Motions to Alter & Amend**  
[HN26] The purpose of a motion for reconsideration is to correct manifest errors of law or fact or to present newly discovered evidence. Such motions are not substitutes for appeals, and are not to be used as a vehicle for registering disagreement with the court's initial decision, for rearguing matters already addressed by the court, or for raising arguments that could have been raised before but were not.

**Civil Procedure > Judgments > Relief From Judgment > Motions to Alter & Amend**  
[HN27] A motion for reconsideration cannot be used to relitigate old matters, raise argument or present evidence that could have been raised prior to the entry of judgment.

**Bankruptcy Law > Practice & Proceedings > Appeals > Procedures**  
[HN28] A claim will be deemed meritorious when the allegations, if established, would support recovery by the claimant.

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**JUDGES:** GÓMEZ, *Chief Justice.*

**OPINION BY:** Curtis V. Gómez

## OPINION

### MEMORANDUM OPINION

(July 6, 2012)

Before the Court is the motion by James P. Carroll to dismiss this appeal for lack of prosecution.

### I. FACTUAL AND PROCEDURAL BACKGROUND

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