

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-20158
Summary Calendar

WU HAI-YIN,

Plaintiff,

versus

TERRY CHI-MING TAO, ET AL.,

Defendants,

WU HAI-YIN,

Plaintiff-Appellant,

versus

TENG PO WEI, PEI LIN LU,

Defendants-Appellees,

WU HAI-YIN,

Plaintiff-Appellant,

versus

TAO CHI-MING, ET AL.,

Defendants,

WANG HUI CHI, also known as Michelle Wang;
ARROYO PRIME LIMITED, INC.,

Defendants-Appellees.

**Appeal from the United States District Court
for the Southern District of Texas
(H-92-CV-3585, H-97-CV-3345, & H-97-CV-4114)**

September 30, 2002

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Wu Hai-Yin appeals the summary judgment granted Teng Po Wei, Pei Lin Lu, and Wang Hui Chi, as well as the denial of Wu's "motion for reconsideration" of those judgments. The motion for reconsideration is considered a motion to alter or amend judgment under FED. R. CIV. P. 59(e). See *Harcon Barge Co., Inc. v. D&G Boat Rentals, Inc.*, 784 F.2d 665, 668 (5th Cir. 1986) (en banc), cert. denied, 479 U.S. 930 (1986).

The district court refused to consider exhibits Wu attached to her Rule 59(e) motion. Such refusal is reviewed for abuse of discretion. *Ford Motor Credit Co. v. Bright*, 34 F.3d 322, 324 (5th Cir. 1994). "A district court is well within its discretion to refuse to consider evidence submitted as part of a motion under [FED. R. CIV. P.] 59(e) which was known to the moving party before the summary judgment was issued." *Lake Hill Motors, Inc. v. Jim Bennett Yacht Sales, Inc.*, 246 F.3d 752, 758 (5th Cir. 2001).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Wu does not claim the information presented with her motion was not known to her prior to entry of the summary judgment. Nor has Wu shown that the district court abused its discretion or that its ruling was unreasonable.

Wu's contentions fail. The claimed error based on the district court's granting summary judgment relies upon evidence which the court refused to consider and which is not properly before our court.

AFFIRMED