

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

February 24, 2012

Lyle W. Cayce
Clerk

No. 11-10787
Summary Calendar

FRANKLIN L. WILLIAMS,

Petitioner-Appellant,

versus

K. EDENFIELD, Warden, FCI Fort Worth,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
No. 4:11-CV-61

Before REAVLEY, SMITH, and PRADO, Circuit Judges.

PER CURIAM:*

Franklin Williams, federal prisoner # 12952-021, appeals the denial of his Federal Rule of Civil Procedure 59(e) and 60(b) motions, which followed the dis-

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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missal of his 28 U.S.C. § 2241 petition. Williams argues that the dismissal of his action was illegal and deprived him of substantial constitutional rights, because the district court did not have before it the complete record. He moves for appointment of counsel and leave to file an amended and supplemental brief.

Williams's Rule 60(b) motion (which he entitled a "motion for relief") and his Rule 59(e) motion (which he entitled a "motion for reconsideration") raised substantially the same arguments presented in his first two motions for reconsideration filed after the judgment of dismissal. The denial of such successive motions is not reviewable on appeal. *See Latham v. Wells Fargo Bank, N.A.*, 987 F.2d 1199, 1204 (5th Cir. 1993) (per curiam); *Burnside v. Eastern Airlines, Inc.*, 519 F.2d 1127, 1128 (5th Cir. 1975) (per curiam).

Williams's notice of appeal was untimely as to the order denying his first Rule 60(b) motion. Given the absence of a timely notice of appeal, this appeal is DISMISSED for want of jurisdiction. *See Bowles v. Russell*, 551 U.S. 205, 214 (2007). The motions for appointment of counsel and for leave to file an amended and supplemental brief are DENIED.