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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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\_\_\_\_\_,  
Plaintiff,

v.

\_\_\_\_\_,  
Defendant.

MEMORANDUM ON SEMANTIC  
EQUIVALENCE OF TERMINOLOGY

Case No. \_\_\_\_\_

District Judge \_\_\_\_\_

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## I. PURPOSE OF THIS MEMORANDUM

This memorandum clarifies that throughout the document titled "Ex Parte Motion for Correction of TRO Denial (Misapplication)" filed in the above-captioned case, the terms "correct," "correction," and any derivatives thereof are intended to have direct one-to-one semantic equivalence with the terms "reconsider," "reconsideration," and their respective derivatives.

## II. SEMANTIC EQUIVALENCE CLARIFICATION

For all interpretive purposes, the following terms should be considered semantically equivalent:

Term Used in Filing	Equivalent Legal Term
Correct	Reconsider
Correction	Reconsideration
Correcting	Reconsidering
Corrected	Reconsidered

## III. LEGAL BASIS FOR EQUIVALENCE

The Supreme Court has consistently held that pro se filings should be "liberally construed" and "held to less stringent standards than formal pleadings drafted by

lawyers." *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)).

Federal courts routinely look to the substance rather than the form or title of filings to determine their proper procedural classification. *United States v. Flint*, 82 F.3d 174, 175 (7th Cir. 1996) ("We will treat a motion, however styled, as made pursuant to whichever rule is functionally appropriate.").

The Tenth Circuit specifically has recognized that "the substance of the pleading controls over its form or label" when determining how to construe a filing. *Pedraza v. United Guar. Corp.*, 313 F.3d 1323, 1329 (10th Cir. 2002).

#### IV. APPLICATION TO CURRENT MOTION

The "Ex Parte Motion for Correction of TRO Denial (Misapplication)" seeks review of the Court's prior order denying the requested TRO based on a putative misapplication of the state action doctrine. This request is substantively seeking reconsideration of the Court's previous ruling.

While the motion references Federal Rule of Civil Procedure 59(e) and the Court's inherent authority, the substance of the requested relief aligns with the standards for reconsideration set forth in DUCivR 7-4 and relevant case law regarding motions to reconsider.

#### V. CONCLUSION

To prevent any procedural confusion, I respectfully request that the Court construe all references to "correct," "correction," or derivatives thereof in the subject motion as direct semantic equivalents to "reconsider," "reconsideration," or their respective derivatives, in accordance with established principles of liberal construction of pro se filings and the primacy of substance over form.

RESPECTFULLY SUBMITTED,

Brandon Michael Jeanpierre

Pro Se Plaintiff

Executed on \_\_\_\_\_.

Signature:  \_\_\_\_\_

Printed Name: \_\_\_\_\_