NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted October 25, 2021*
Decided October 26, 2021

Before

WILLIAM J. BAUER, *Circuit Judge*

MICHAEL S. KANNE, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

No. 20-2419

ABDUL AZEEM MOHAMMED, *Plaintiff-Appellant*,	Appeal from the United States District Court for the Northern District of Illinois, Western Division.
v.	3:20–cv–50133
PRAIRIE STATE LEGAL SERVICES, INC., *et al*., *Defendants-Appellees*.	John Robert Blakey, *Judge*.

O R D E R

Abdul Azeem Mohammed appeals the dismissal of his most recent lawsuit targeting more than 40 defendants connected to his divorce proceedings. He asserted violations of his rights under the Thirteenth and Fourteenth Amendments to the federal Constitution under 42 U.S.C. § 1983, as well as claims under the Americans with Disabilities Act, 42 U.S.C. §§ 12101–12213; the Rehabilitation Act of 1974, 29 U.S.C.

* We have agreed to decide the case without oral argument because the appeal is frivolous. *See* FED. R. APP. P. 34(a)(2)(A).

§§ 701–797; the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961–1968; and state law. The dismissal was proper, and so we affirm. Further, because this appeal is just the latest of Mohammed's frivolous filings, we order him to show cause why he should not be sanctioned.

Between April 16, 2020, and May 17, 2020, Mohammed filed six complaints in this case—all before paying a filing fee or petitioning for in forma pauperis status, and none with leave of court. Each complaint was hundreds of pages long, and the third, fourth, and fifth amended complaints included thousands of pages of exhibits. Mohammed, a restricted filer, eventually paid the filing fee. On its own accord, the district court dismissed the fifth amended complaint for violating Rule 8(a) of the Federal Rules of Civil Procedure. And, because of Mohammed's numerous prior complaints with the same flaws and his violation of its earlier orders, the court determined that amendment would be futile and entered a dismissal with prejudice.

On appeal, Mohammed first argues that the district court erred because it must not have read his pleadings: his complaint was 558 pages long with 3,419 pages of exhibits, but the district court said it was 1,125 pages with 2,852 pages of exhibits. This is not a winning distinction. First, the district court cited the page numbers as broken down on the electronic docket, which says nothing about whether it read the complaint. Second, Mohammed cannot reasonably expect that a court would waste precious resources digesting every word of a complaint this prolix, repetitive, and frivolous. *See Stanard v. Nygren*, 658 F.3d 792, 798 (7th Cir. 2011).

Mohammed next insists that the district court erred in dismissing the complaint because of its length. "[U]ndue length alone ordinarily does not justify the dismissal of an otherwise valid complaint." *Id.* at 797. But "[l]ength may make a complaint unintelligible." *United States ex rel. Garst v. Lockheed-Martin Corp.*, 328 F.3d 374, 378 (7th Cir. 2003). Here, the district court noted the unintelligibility as well as the length, and unintelligibility justifies dismissal. *See Stanard*, 658 F.3d at 798. And the district court's assessment was accurate. Length aside, the claims are substantively incoherent because of the vast and vague scope of the allegations, and the confusing or nonexistent connections between the disparate events and defendants. The complaint does not give the defendants, or the court, fair notice of the claims and does not set the stage for remotely manageable litigation. *Id.* at 797.

Mohammed also argues that the district court erred by dismissing his complaint without giving him a chance to amend it. But a court need not allow amendment if it

would be futile. *Always Towing & Recovery, Inc. v. City of Milwaukee*, 2 F.4th 695, 707 (7th Cir. 2021). Here, the district court explained, correctly, that amendment would be futile because Mohammed provided no semblance of a viable claim after six tries and refused to comply with the court's orders (such as a directive to refrain from filing any further routine motions until his fee status was resolved). The district court relied on our decision in *Vicom, Incorporated v. Harbridge Merchant Services, Incorporated*, in which we explained that a "confusing, redundant, and seemingly interminable" amended complaint was an "egregious" violation of Rule 8(a) and could have been dismissed with prejudice on that ground. 20 F.3d 771, 776 (7th Cir. 1994) The district court's decision was sound.

Finally, Mohammed contends that the district court incorrectly screened the case under 28 U.S.C. § 1915A even though he is not incarcerated and eventually paid the full filing fee. But the district court did not cite § 1915A in its dismissal order, although it had stated before Mohammed paid the fee that it would screen the complaint under that provision. Rather, the court relied only on Rule 8(a) when it dismissed the case on its own accord, and its sua sponte action was permissible. "District judges have ample authority to dismiss frivolous or transparently defective suits spontaneously … even when the plaintiff has paid all fees for filing and service." *Hoskins v. Poelstra*, 320 F.3d 761, 763 (7th Cir. 2003). And we have already agreed with the district court's assessment that the suit was indeed defective.

We now turn to Mohammed's practice of vexatious litigation. He has been warned on multiple occasions, in this case and others, of the consequences of frivolous filings. We have already restricted Mohammed from filing in forma pauperis until his outstanding fees and costs are paid. *Mohammed v. NLRB*, No. 20-3178 (7th Cir. Jan. 11, 2021). And we are not alone. The Executive Committee of the U.S. District Court for the Northern District of Illinois instituted a filing bar against him, which we upheld. *In re Mohammed*, 834 F. App'x 240, 241–42 (7th Cir. 2021). We similarly upheld a decision to sanction Mohammed with dismissal and $3,792 in attorneys' fees when he engaged in abusive litigation tactics. *Mohammed v. Anderson*, 833 F. App'x 651, 655 (7th Cir. 2020). These decisions, apparently, have done little to dissuade him.

Because he has pursued a frivolous appeal, under Rule 38 of the Federal Rules of Appellate Procedure, we order Mohammed to show cause within 14 days why this court should not sanction him with a fine of $5,000, the nonpayment of which would lead to a circuit-wide filing bar—this time regardless of his fee-paying status. *See Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186–87 (7th Cir. 1995).

One final matter: Mohammed recently moved—again—for the disqualification of this court's judges and transfer of his case to the Ninth Circuit. We have considered the motion and its purported basis in orders of the Illinois Supreme Court, and deny it.

In summary, we AFFIRM the judgment, issue a rule to show cause, and DENY the motion to disqualify [Doc. 81].