

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

RICHARD A. LARSEN, III,)	
)	
Plaintiff,)	
)	
v.)	1:21-cv-00156-JDL
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE
MAGISTRATE JUDGE AND COK WARNING**

On June 11, 2021, Plaintiff Richard A. Larsen III, who is self-represented, filed a Complaint (ECF No. 1) against the United States of America, based on alleged constitutional violations that he asserts occurred during various state court civil and criminal proceedings. Larsen filed an application to proceed in forma pauperis (ECF No. 2), which the Court granted (ECF No. 3). In accordance with 28 U.S.C.A. § 1915(e)(2) (West 2021), United States Magistrate Judge John C. Nivison conducted a preliminary review of Larsen’s complaint.

Magistrate Judge Nivison filed his Recommended Decision on the Complaint on September 1, 2021 (ECF No. 9), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2021) and Fed. R. Civ. P. 72(b). Larsen filed an Objection to the Recommended Decision on September 16, 2021 (ECF No. 11).

I have reviewed and considered the Recommended Decision, together with the entire record and have made a de novo determination of all matters adjudicated by the Magistrate Judge. I concur with the recommendations of the Magistrate Judge

for the reasons set forth in his recommended decision and determine that no further proceedings are necessary.

This is the fifth of six complaints that Larsen has filed in this Court in the last eighteen months, all of which fail to allege actionable claims within this Court's jurisdiction. *See* Compl., *Larsen v. Linthicum*, No. 1:20-cv-00127-NT (D. Me. Apr. 3, 2020), ECF No. 1; Compl., *Larsen v. Aroostook Unified Cts.*, No. 1:20-cv-00413-JDL (D. Me. Nov. 5, 2020), ECF No. 1; Compl., *Larsen v. Maine*, No. 1:20-cv-00450-JDL (D. Me. Dec. 2, 2020), ECF No. 1; Compl., *Larsen v. Nelson*, No. 1:21-cv-00096-JDL (D. Me. Apr. 5, 2021), ECF No. 1; Compl., *Larsen v. Aroostook Mental Health Ctr.*, No. 1:21-cv-00157-JDL (D. Me. June 11, 2021), ECF No. 1. Larsen's pleadings and filings in this case, as well as the five other complaints, are frivolous.

Although Larsen is representing himself, he may not submit "[g]roundless and inappropriate filings" to the Court. *D'Amario v. United States*, 251 F.R.D. 63, 64 (D. Me. 2008). "[F]rivolous filings waste judicial resources" and inhibit the resolution of substantial matters. *Adams v. Adams*, No. 1:17-cv-00200-GZS, 2019 WL 2814627, at *1 (D. Me. July 2, 2019).

In light of Larsen's repeated frivolous filings, the Court hereby issues a *Cok* warning: **Any further frivolous filings by Larsen, in this docket or in a new case, may result in an immediate order restricting his ability to file documents with the Court.** *See Cok v. Fam. Ct. of R.I.*, 985 F.2d 32, 35-36 (1st Cir. 1993). Those restrictions may include: requiring Larsen to append an affidavit to future pleadings stating that the pleadings do not raise the same issues that this

Court has previously dismissed, as well as a concise summary of the claim(s); limiting his ability to file documents within a new action without Court approval; limiting the number and length of Larsen’s filings; and other restrictions to screen out frivolous filings. *See United States. v. Gomez-Rosario*, 418 F.3d 90, 101 (1st Cir. 2005) (noting that federal courts may “enjoin a party—even a *pro se* party—from filing frivolous and vexatious motions”); *Procup v. Strickland*, 792 F.2d 1069, 1072-73 (11th Cir. 1986) (listing illustrative restrictions).

It is therefore **ORDERED** that the Recommended Decision (ECF No. 9) of the Magistrate Judge is **ACCEPTED**. Richard Larsen’s Complaint (ECF No. 1) is **DISMISSED**.

SO ORDERED.

Dated: October 8, 2021.

/s/ JON D. LEVY
CHIEF U.S. DISTRICT JUDGE