

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DONALD RICHARD KARR, JR.,

Plaintiff,

v.

**PRESIDENT JOESPH* R. BIDEN,
JR., et al.,**

Defendants.

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Civil Action No. **3:24-CV-823-L-BK**

ORDER

On April 11, 2024, the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 5) was entered, recommending that the court dismiss with prejudice this action by *pro se* Plaintiff Donald Richard Karr, Jr. against seven named Defendants and fifteen hundred Doe Defendants as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). The Report notes that the claims asserted in this action are substantially the same as those alleged by Plaintiff in the Western District of Texas. The Report further notices that Plaintiff was granted *in forma pauperis* status in that action, making his Complaint in this case subject to review for frivolousness. The Report, therefore, concludes that Plaintiff’s claims in this action are duplicative and should be dismissed with prejudice as frivolous. Report 2 (quoting *Wilson v. Lynaugh*, 878 F.2d 846, 850 (5th Cir. 1989)).

No objections to the Report were filed, and the deadline for doing so has expired. On April 26, 2024, Plaintiff filed some letters in which he details his financial status (Doc. 6). This filing, however, does not address the magistrate judge’s findings and conclusions or recommendation

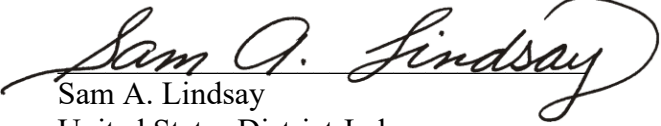
* “Joesph” is the spelling used in Plaintiff’s Complaint (Doc. 3).

that this action be dismissed with prejudice as frivolous because it is duplicative of the action Plaintiff filed in the Western District of Texas.

Having considered the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, pursuant to 28 U.S.C. § 1915(e)(2)(B), the court **dismisses with prejudice** this action as frivolous against all Defendants. *Further, if Plaintiff persists in filing frivolous lawsuits claims in this district, he will be sanctioned monetarily, barred from bringing any new actions in the future, or subjected to other sanctions the court deems appropriate.*

The court prospectively **certifies** that any appeal of this action would not be taken in good faith. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3). In support of this certification, the court **accepts and incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 and n.21 (5th Cir. 1997). Based on the Report, the court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the clerk of the United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

It is so ordered this 6th day of May, 2024.


Sam A. Lindsay
United States District Judge