

NONPRECEDENTIAL DISPOSITION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 April 4, 2024*

Decided April 5, 2024

By the Court:

No. 23-2408

MICHAEL F. HENRY,
Plaintiff-Appellant,

v.

SOPHIA HALL, et al.,
Defendants-Appellees.

Appeal from the United States District Court
for the Central District of Illinois.

No. 22-cv-3239

Colleen R. Lawless,
Judge.

ORDER

Michael Henry sued several Illinois circuit and appellate judges, and the Chief Justice of the Illinois Supreme Court, alleging that their actions in an ongoing state court proceeding against him violated his constitutional rights. *See* 42 U.S.C. § 1983. The district court dismissed the claims. Henry's appeal is frivolous, and so we dismiss it.

In 2020, the Village of Orland Park sued Henry in Illinois state court, alleging that he made automated phone calls that created a nuisance and violated the Telephone Consumer Protection Act. *See* 47 U.S.C. § 227(c)(5)(A). In 2022, Henry sued judges throughout Illinois, alleging that they tolerated widespread corruption in the state judiciary and refused to apply Supreme Court precedent in his case. He also alleged

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

that one circuit judge solicited a bribe from him in exchange for a favorable ruling on his motion to dismiss the state suit. Henry argued generally that these actions violated his constitutional right to due process, and he sought damages and the appointment of a special prosecutor to investigate judicial corruption.

The district court dismissed the case. Because the state proceeding was ongoing, it determined that abstention under *Younger v. Harris*, 401 U.S. 37 (1971), was appropriate. Further, on Henry's claim for damages, the judges were entitled to absolute immunity for any actions taken in their judicial capacities. Finally, Henry's request for an injunction was barred by § 1983, which states "that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable."

On appeal, Henry has filed a brief that does not comply with the Federal Rules of Appellate Procedure. His opening brief and reply brief consist mostly of unsubstantiated accusations levied at the defendants in this suit, his adversaries in the underlying litigation (who are not parties to his federal lawsuit), and various political figures. The portions of his brief that do engage in legal analysis appear to litigate the merits of the nuisance suit or attempt to raise claims not previously asserted before the district court. Because Henry has failed to advance a legal reason to question the district court's rationale for dismissing his case, and he does not develop a discernable argument for reversal, we dismiss his appeal. *See* FED. R. APP. P. 28(a)(8)(A); *Anderson v. Hardman*, 241 F.3d 544, 545 (7th Cir. 2001).

This is not the first time Henry has engaged in frivolous litigation in this court, and we have warned him that further frivolous appeals may result in sanctions. *See Henry v. United States*, 360 F. App'x 654, 657 (7th Cir. 2010). We order Henry to show cause within 14 days why he should not be subject to sanctions for filing this frivolous appeal despite our warning. *See* FED. R. APP. P. 38. Any monetary penalty must be paid promptly, or the court will enter an order restricting his future litigation. *See Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185 (7th Cir. 1995).

The appeal is DISMISSED, and an order to show cause will be issued.