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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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|---------------------------|---|------------------------|
| Lee Es Burgeles, |) | No. CV-08-0680-PHX-LOA |
| Plaintiff, |) | ORDER |
| vs. |) | |
| Janet Napolitano, et al., |) | |
| Defendants. |) | |

The matter arises on *pro se* Plaintiff’s “Request for Motion” filed on a District Court summons form. Several portions of the form have been crossed out and 33 pages of exhibits are attached thereto. It is not clear what Plaintiff is requesting or the relief he is seeking.

Plaintiff’s lawsuit in this case (CV-08-0680-PHX-LOA) was dismissed without prejudice on May 22, 2008 due to the inadequacies of Plaintiff’s Complaint and the absence of federal subject-matter jurisdiction. (docket # 9) This case was terminated and Judgment was entered. (docket # 10) In his Complaint, docket # 1, designated “Notice of Appeal,” Plaintiff sued Governor Janet Napolitano, the only named Defendant in the caption of the Complaint. In Plaintiff’s “Request for Motion,” docket # 13, Plaintiff appears to be alleging new claims against GMAC Mortgage, L.L.C. and lawyer Bert L. Roos for the “crimes” of “breach of contract under the rule of Consumer Fraud Act” (docket # 13) It appears that Plaintiff is now attempting to file a new lawsuit against

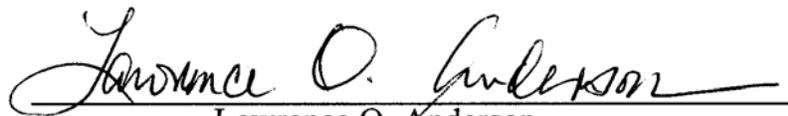
1 different parties alleging different claims without paying a new filing fee and obtaining a
2 new civil case number from the Clerk.

3 This Court is cognizant of the special latitude given to *pro se* litigants.
4 *Eldridge v. Block*, 832 F.2d 1132, 1136 (9th Cir. 1987). This is not, however, an issue of
5 holding “*pro se* pleadings to a less stringent standard than formal pleadings prepared by
6 lawyers[.]” *Ashelman v. Pope*, 793 F.2d 1072, 1078 (9th Cir. 1986) Plaintiff’s *pro se*
7 status does not permit him to disregard the judicial process as he chooses. The Ninth
8 Circuit has made clear that a *pro se* litigant must “abide by the rules of the court in which
9 he litigates.” *Bias v. Moynihan*, 508 F.3d 1212, 1223 (9th Cir. 2007) (citing *Carter*, 784
10 F.2d at 1008). If Plaintiff desires to file a new lawsuit against different parties, he must
11 pay the required filing fee or follow court procedure to obtain *in forma pauperis* status;
12 file a new Complaint that meets the pleading requirements of Rule 8, Fed. R. Civ. P., and,
13 of course, demonstrates therein that this District Court has subject-matter jurisdiction; and
14 obtain a new civil case number from the Clerk.

15 Accordingly,

16 **IT IS ORDERED** that Plaintiff’s “Request for Motion,” docket # 13, is
17 **DENIED**. This case shall remain terminated.

18 Dated this 24th day of November, 2008.

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20 Lawrence O. Anderson
21 United States Magistrate Judge
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