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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 David Cramer,

10 Petitioner,

11 v.

12 State of Arizona, et al.,

13 Respondents.  
14

No. CV-16-03522-PHX-JAT

**ORDER**

15 Pending before the Court is Defendant's motion for sanctions pursuant to Federal  
16 Rule of Civil Procedure 11. It is not clear that this Court has the authority to enter Rule 11  
17 sanctions after a case is closed. *See* Moore's Federal Practice § 11.22(2)(a) ("[T]he court  
18 should ordinarily impose [Rule 11] sanctions before issuing a final order."). However, this  
19 Court can issue a sanction under its inherent power.

20 The inherent powers of federal courts are those that "are necessary to the  
21 exercise of all others." *Roadway Express, Inc. v. Piper*, 447 U.S. 752, 764  
22 (1980) (quoting *United States v. Hudson*, 7 Cranch 32, 34, 3 L.Ed. 259  
23 (1812)). The most common utilization of inherent powers is a contempt  
sanction levied to "protect[ ] the due and orderly administration of justice"  
and "maintain[ ] the authority and dignity of the court." *Cooke v. United*

24 *States*, 267 U.S. 517, 539 (1925). ...  
Before awarding sanctions under its inherent powers, however, the court  
25 must make an explicit finding that [the] conduct "constituted or was  
tantamount to bad faith." *Roadway Express*, 447 U.S. at 767; *see also In re*  
*Keegan*, 78 F.3d at 436; *United States v. Stoneberger*, 805 F.2d 1391, 1393  
(9th Cir.1986).

26 *Primus Auto. Fin. Servs., Inc. v. Batarse*, 115 F.3d 644, 648 (9th Cir. 1997).

27 Here, Petitioner has filed several documents into the record of this Court seemingly  
28 to attempt to trick the state officials into releasing him from custody. *See* Docs. 46, 47, 48,

1 and 49. The Court finds this attempt at deception to be in bad faith.

2 To prevent Petitioner from continuing to attempt to use this Court's record for an  
3 improper purpose, the Court will enter the sanction of barring Petitioner or his agents from  
4 filing any additional documents in the record of this case. Therefore,

5 **IT IS ORDERED** granting the motion for sanctions (Doc. 50) for the reasons  
6 specified above.

7 **IT IS FURTHER ORDERED** that the Clerk of the Court shall reject any future  
8 filings from Petitioner or purporting to be on behalf of Petitioner in this closed case.

9 Dated this 10th day of June, 2019.

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