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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JANETTA SCONIERS,
Plaintiff,

vs.

JUDICIAL COUNCIL OF
CALIFORNIA, et al.,
Defendants.

CASE NO. CV F 11-0113 LJO SMS

**ORDER TO STRIKE PAPERS FILED ON
OCTOBER 27, 2011**
(Docs. 52, 53.)

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On January 21, 2011, plaintiff Janetta Sconiers (“plaintiff”) filed a 569-page complaint purporting to name as defendants numerous judicial, law enforcement and other governmental officials. Since filing her complaint, plaintiff has plagued this Court and the Ninth Circuit Court of Appeals with numerous frivolous filings, the latest of which were papers filed on October 27, 2011 and which appear to take exception with this Court’s orders to address plaintiff’s frivolous filings.

This Court surmises that plaintiff brought this action in absence of good faith and that plaintiff seeks to exploit the court system solely to vex defendants and this overburdened Court. The test for maliciousness is a subjective one and requires the court to “determine the . . . good faith of the applicant.” *Kinney v. Plymouth Rock Squab Co.*, 236 U.S. 43, 46 (1915); *see Wright v. Newsome*, 795 F.2d 964, 968, n. 1 (11th Cir. 1986); *cf. Glick v. Gutbrod*, 782 F.2d 754, 757 (7th Cir. 1986) (court has inherent power to dismiss case demonstrating “clear pattern of abuse of judicial process”). A lack of

1 good faith or malice also can be inferred from a complaint containing untrue material allegations of fact
2 or false statements made with intent to deceive the court. *See Horsey v. Asher*, 741 F.2d 209, 212 (8th
3 Cir. 1984).

4 As such, this Court STRIKES plaintiff's papers filed on October 27, 2011 and ADMONISHES
5 plaintiff that this Court will strike further filings pending the November 16, 2011 hearing to show cause
6 why this action should not be dismissed.

7 IT IS SO ORDERED.

8 **Dated: October 28, 2011**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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