

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JANETTA SCONIERS,

CASE NO. 1:11-cv-00113-LJO-SMS

Plaintiff,

AMENDED ORDER TO ADOPT FINDINGS  
AND RECOMMENDATIONS  
RECOMMENDING THAT COMPLAINT  
BE DISMISSED FOR FAILURE  
TO COMPLY WITH COURT RULES

v.

FRESNO COUNTY SUPERIOR COURT,  
et al.,

Defendants.

(Docs. 51 and 71)

On December 13, 2011, this Court entered an order that, among other things, declared Plaintiff a vexatious litigant and ordered that all subsequent complaints brought by Plaintiff be lodged and screened prior to filing. Plaintiff responded by filing frivolous and malicious motions in six long-closed cases. Accordingly, the Court hereby amends its order *nunc pro tunc*.

**AMENDED ORDER**

On October 21, 2011, Magistrate Judge Sandra M. Snyder ordered Plaintiff Janetta L. Sconiers and counsel Ralston L. Courtney to appear at a hearing on November 16, 2011, to show cause why this matter should not be dismissed for failure to comply with F.R.Civ.P. 8 and 11, and sanctions imposed. Neither Plaintiff nor counsel appeared. On November 23, 2011, the Magistrate Judge filed Findings and Recommendations recommending that this case be dismissed, counsel be fined and reprimanded, and Plaintiff be declared a vexatious litigant subject to pre-filing review.

On December 12, 2011, Plaintiff filed objections and exhibits totaling 295 pages. Plaintiff's objections did not address the application of F.R.Civ.P. 8 and 11 to the complaint in this matter.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the

1 Findings and Recommendations to be supported by the record and proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that the Findings and Recommendations, filed  
3 November 23, 2011, are adopted in full. Specifically,

- 4 1. This matter is hereby dismissed with prejudice for failure to comply with  
5 F.R.Civ.P. 8 and 11.
- 6 2. Plaintiff's attorney, Ralston Courtney, is hereby sanctioned pursuant to  
7 F.R.Civ.P. 11 for failing to conduct a reasonable and competent inquiry  
8 regarding (a) Plaintiff's motives for proceeding with the complaint; (b) the  
9 legal sufficiency of the asserted claims; and (c) the factual sufficiency of  
10 the asserted claims. As penalty, Courtney is ordered to pay \$5000.00 to  
11 the Court's Nonappropriated Fund.
- 12 3. Courtney is hereby reprimanded for his conduct in this matter, which  
13 degraded and impugned the integrity of this Court and interfered with its  
14 administration of justice.
- 15 4. The Clerk of Court is directed to send a copy of this Order and the  
16 underlying Findings and Recommendations to Office of Chief Trial  
17 Counsel/Intake, The State Bar of California, 1149 South Hill Street, Los  
18 Angeles, California 90015-2299.
- 19 5. Plaintiff Janetta Sconiers is hereby sanctioned pursuant to F.R.Civ.P. 11  
20 for her failure to conduct a reasonable and competent inquiry regarding the  
21 legal and factual sufficiency of her claims, and for her determination to file  
22 repetitive claims intended to harass the individuals named as defendants.
  - 23 a. Plaintiff is declared to be a vexatious litigant.
  - 24 b. On or after the date of this order, Plaintiff shall pay the filing fee in  
25 all actions initiated *in propria persona* or by legal counsel on her  
26 behalf.
  - 27 c. Upon presentation by Plaintiff or any attorney acting on her behalf  
28 on or after the date of the Court's order of any complaint, motion,  
or other document for filing, the Clerk of Court shall lodge the  
complaint, motion, or document pending its review by the Chief  
District Judge or such judge as he or she may designate to ensure  
that the complaint, motion, or document is neither frivolous nor  
malicious and that it states claims cognizable in this Court. No  
complaint, motion, or document shall be filed prior to such  
screening and approval.

IT IS SO ORDERED.

Dated: January 20, 2012

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