

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

LARRY W. CAMPBELL,

Plaintiff,

No. Misc. S-10-004 GEB EFB PS

VS.

THE STATE OF CALIFORNIA;
DEFENDANT STATE AGENT LEON,

Defendants.

ORDER

This miscellaneous case, in which plaintiff is proceeding *in propria persona*, was referred to the undersigned under Local Rule 302(c)(21), pursuant to 28 U.S.C. § 636(b)(1). Pending before the undersigned are two documents entitled plaintiff's "Pre Filing Request to Provide [Plaintiff] a Free Attorney," Dckt. Nos. 1, 2; a document entitled "Pre Filing Request More News Facts," Dckt. No. 3; a document purporting to provide notice to "Justice Scotty Scotland," Dckt. No. 4; and a document entitled "Pre Filing Request Pursuant to Federal Judge Made Law," Dckt. No. 5.

Plaintiff's filings are incomprehensible. It is unclear what precise relief he seeks and the basis for that relief. Although the caption of two of the documents state that they are requests for counsel, it appears that in December 2004, United States District Judge Damrell issued an order declaring plaintiff a vexatious litigant and setting forth specific pre-filing orders relating to

1 plaintiff. *See Campbell v. DeAmicus*, No. CIV S-04-1244 FCD JFM PS, Dckt. No. 51.
2 Specifically, the pre-filing orders provide, *inter alia*, that “[p]laintiff is prohibited from raising in
3 this court any civil rights claims relating to his family law proceedings, . . . and any vexatious
4 litigant order entered in state court proceedings,” and that “[p]laintiff is directed to submit a pre-
5 filing request to the duty judge of this court to consider any new federal claims unrelated to
6 plaintiff’s family law dispute and/or the state court’s vexatious litigant orders.” *Id.* The pre-
7 filing orders direct plaintiff “to include with any pre-filing request a declaration under penalty of
8 perjury stating that the claims raised in his pre-filing request are unrelated to his family law
9 dispute or the state court’s vexatious litigant orders,” and state that “[p]laintiff is required to
10 obtain a court order granting him permission to proceed with such unrelated claims prior to filing
11 such claims in this court.” *Id.*

12 To the extent plaintiff’s filings purport to be pre-filing requests in conformance with the
13 December 2004 pre-filing orders, they are denied. Plaintiff has not stated in any of his filings
14 “any new federal claims unrelated to plaintiff’s family law dispute and/or the state court’s
15 vexatious litigant orders” and plaintiff has not included in any of his filings “a declaration under
16 penalty of perjury stating that the claims raised in his pre-filing request are unrelated to his
17 family law dispute or the state court’s vexatious litigant orders.” Additionally, to the extent
18 plaintiff’s filings are intended to be a request for counsel, such request is also denied. Because
19 plaintiff does not have a pending complaint in this action, he is not entitled to counsel.

20 The Clerk of Court is directed to close this case.

21 DATED: June 23, 2010.

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23 EDMUND F. BRENNAN
24 UNITED STATES MAGISTRATE JUDGE
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