

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

In re SRIKANTH TANGIRALA,

Plaintiffs,

No. CIV S-11-732 MCE DAD (TEMP) PS

FINDINGS AND RECOMMENDATIONS

Pending before the court is plaintiff's motion to proceed in forma pauperis.

17 Plaintiff seeks leave to file a complaint but has not submitted any proposed complaint. Plaintiff
18 also has not submitted an affidavit in support of the motion to proceed in forma pauperis.
19 Plaintiff has now filed four actions in the U.S. District Court for the Eastern District of
20 California.

21 The first action was case number 2:06-cv-00384 FCD GGH PS and alleged claims
22 against the United States Post Office, the Equal Opportunity Commission, and Office of
23 Worker's Compensation. That action was dismissed after the assigned district judge adopted the
24 findings and recommendations that defendants' motion to dismiss and for summary judgment be
25 granted. (Dckt. nos. 95, 96.) Plaintiff was declared a vexatious litigant in that action. (Dckt. no.
26 116.) In the second action, case number, 2:10-at-00024, a complaint was filed against various

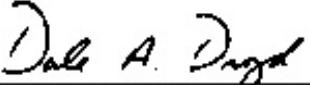
1 governmental officials on January 7, 2010 and the action was closed on January 11, 2010.
2 Plaintiff filed a third action was filed in this court on May 28, 2010, 2:10-cv-01328 GEB KJN
3 PS, against a towing company, and was summarily dismissed for lack of subject matter
4 jurisdiction. (Dckt. no. 5.)

5 In the present action, plaintiff has filed no complaint but asserts that he want to
6 file a claim about injuries incurred as a Postal Employee. Plaintiff resigned from his employment
7 with the Post Office effective March 18, 2005. See case no. 2:06-cv-00384 FCD GGH PS, dckt.
8 no. 90 at 2:5-6. All of plaintiff's claims related to his employment and injury were fully
9 adjudicated in that prior civil action. Under these circumstances, plaintiff's claims are either
10 barred by the doctrine of res judicata or barred by the statute of limitations.

11 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed
12 and the case closed.

13 These findings and recommendations are submitted to the United States District
14 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within
15 fourteen days after being served with these findings and recommendations, any party may file
16 written objections with the court and serve a copy on all parties. Such a document should be
17 captioned "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the
18 objections shall be served and filed within seven days after service of the objections. The parties
19 are advised that failure to file objections within the specified time may waive the right to appeal
20 the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

21 DATED: April 1, 2011.

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23 
24 DALE A. DROZD
25 UNITED STATES MAGISTRATE JUDGE
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JMM
tangirala.ooh