

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LIUDMYLA IEGOROVA,  
Plaintiff,  
v.  
DANIIL FEYGAN,  
Defendant.

No. 2:19-cv-1512-MCE-KJN PS

FINDINGS AND RECOMMENDATIONS  
TO DISMISS WITH PREJUDICE AND  
TO DECLARE PLAINTIFF  
A VEXATIOUS LITIGANT

Plaintiff Liudmyla Iegorova, proceeding without counsel, commenced this action and requested leave to proceed in forma pauperis. (ECF Nos. 1, 2.) After the Court reviewed its records, the undersigned ordered Plaintiff to show cause why she should not be declared a vexatious litigant. The Court informed Plaintiff of the potential consequences of such a designation, and set a briefing and hearing schedule for Plaintiff to respond.

The Court has reviewed Plaintiff's complaint, and finds it fails for lack of subject matter jurisdiction. Thus, the undersigned recommends this action be dismissed with prejudice. Further, the undersigned finds Plaintiff to be a repeat, serial litigant whose actions have made it clear that she will only continue to abuse the judicial process and inundate courts in this district with frivolous complaints that do nothing but strain the court's limited resources. Therefore, the undersigned recommends Plaintiff be deemed a vexatious litigant, and recommends a pre-filing order be instituted against her.

1            **Background**<sup>1</sup>

2            On August 7, 2019, Plaintiff filed this action against Daniil Feygan, a social worker at  
3 Sacramento In-Home Support Services. (ECF No. 1.) Therein, she alleges Feygan committed  
4 crimes against her health, life, and personal property under 18 U.S.C. § 241. According to  
5 Plaintiff, Sacramento County “stole documents for [a] hearing in July 2015 and stop[ped] services  
6 on July 25.” (ECF No. 1.) She demanded ninety-nine trillion dollars in damages. (Id.) Plaintiff  
7 requested leave to proceed in forma pauperis. (ECF No. 2.)

8            Pursuant to 28 U.S.C. § 1915, the Court screened Plaintiff’s complaint. A review of the  
9 Court’s docket reveals that since 2014, Plaintiff has filed over 50 cases in this district wherein she  
10 proceeds pro se and requests a waiver of the filing fees. As described in more detail below, only  
11 one of Plaintiff’s cases has progressed past the court’s screening process, and a majority of these  
12 actions have been dismissed as frivolous, unintelligible, fanciful, or delusional. Further, in a  
13 many of those cases, it appears Plaintiff has been using an address that is not her own, causing the  
14 court’s notices to flood the mail of the actual residents. (See, e.g., 2:19-cv-1512-MCE-KJN,  
15 Docket Entries on 9/4/19 and 9/23/19, “Mail Returned as Undeliverable.”) One of these residents  
16 has previously complained to the court about Plaintiff’s “fraudulent use of the address.” (See  
17 2:19-cv-167-JAM-DB, ECF No. 3, a Letter from the Director of the Community Center alleging  
18 Plaintiff’s fraudulent use of the address.)

19            On August 26, 2019, the Court issued an order to show cause why Plaintiff should not be  
20 declared a vexatious litigant. (ECF No. 3.) The Court allowed for Plaintiff to respond in writing  
21 by September 12, 2019, and set a hearing on the matter for October 3. (Id.) On August 28, 2019,  
22 the court served the order to show cause on Plaintiff. (See Docket Entry on 8/28/19.) Plaintiff  
23 did not respond in writing to the Court’s order, nor did she appear at the October 3 hearing.

24            ///

25 \_\_\_\_\_  
26 <sup>1</sup> These facts are based on information contained in the Complaint, and on documents contained  
27 in the Court’s docket that are part of the public record—of which the undersigned takes judicial  
28 notice. See Fed. R. Evid. 201; Mir v. Little Co. of Mary Hosp., 844 F. 2d 646, 649 (9th Cir.  
1988) (“In addition to the complaint, it is proper for the district court to take judicial notice of  
matters of public record outside the pleadings and consider them for purposes of [dismissal].”)

1           **I. Plaintiff’s instant claims fail under the substantiality doctrine.**

2           A federal court has an independent duty to assess whether federal subject matter  
3 jurisdiction exists, whether or not the parties raise the issue. See United Investors Life Ins. Co. v.  
4 Waddell & Reed Inc., 360 F.3d 960, 967 (9th Cir. 2004); accord Rains v. Criterion Sys., Inc., 80  
5 F.3d 339, 342 (9th Cir. 1996). The court must sua sponte dismiss the case if, at any time, it  
6 determines that it lacks subject matter jurisdiction. Fed. R. Civ. P. 12(h)(3).

7           “Under the substantiality doctrine, the district court lacks subject matter jurisdiction when  
8 the question presented is too insubstantial to consider.” Cook v. Peter Kiewit Sons Co., 775 F.2d  
9 1030, 1035 (9th Cir. 1985) (citing Hagans v. Lavine, 415 U.S. 528, 536-39 (1974)). “The claim  
10 must be ‘so insubstantial, implausible, foreclosed by prior decisions of this Court or otherwise  
11 completely devoid of merit as not to involve a federal controversy within the jurisdiction of the  
12 District Court, whatever may be the ultimate resolution of the federal issues on the merits.’” Id.  
13 (quoting Oneida Indian Nation v. County of Oneida, 414 U.S. 661, 666 (1974)); see also Apple v.  
14 Glenn, 183 F.3d 477, 479 (6th Cir. 1999) (“a district court may, at any time, sua sponte dismiss a  
15 complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of  
16 Civil Procedure when the allegations of a complaint are totally implausible, attenuated,  
17 unsubstantial, frivolous, devoid of merit, or no longer open to discussion.”).

18           Here, Plaintiff’s complaint alleges that Defendant Daniil Feygan, a social worker at  
19 Sacramento In-Home Support Services, committed crimes against Plaintiff’s health, life, and  
20 personal property under 18 U.S.C. § 241. According to plaintiff, Sacramento County “stole  
21 documents for hearing in July 2015 and stop[ped] services on July 25.” (ECF No. 1.) Plaintiff  
22 demands ninety-nine trillion dollars in damages. (Id.)

23           As an initial matter, Plaintiff, as a private citizen, has no standing to prosecute any alleged  
24 crimes. Moreover, even if Plaintiff’s claims could be construed as civil claims, the Court finds  
25 that Plaintiff’s allegations are implausible, frivolous, devoid of merit, and unsubstantial.  
26 Therefore, the Court concludes that this action should be dismissed for lack of subject matter  
27 jurisdiction pursuant to the substantiality doctrine. Cook, 775 F.2d at 1035.

28       ///

1           Although the court ordinarily liberally grants leave to amend, especially to pro se litigants,  
2 the nature of Plaintiff’s complaint here strongly suggests that granting leave to amend would be  
3 futile. See Cahill v. Liberty Mut. Ins. Co., 80 F.3d 336, 339 (9th Cir. 1996). Moreover, the Court  
4 notes that it has many times before informed Plaintiff she cannot bring charges under the criminal  
5 code, and has dismissed these cases as frivolous, including against former president Obama,  
6 President Trump, the Social Security Administration, the State Department, the Department of  
7 Housing and Urban Development, Target Corporation, Chase Bank, and various apartment  
8 complexes. Such prior frivolous actions further counsel against granting leave to amend.

9  
10           **II. Plaintiff should be deemed a vexatious litigant, and a pre-filing order should  
11 be imposed.**

12           **Legal Standard**

13           District courts have authority under the All Writs Act, 28 U.S.C. § 1651(a), to issue pre-  
14 filing orders that restrict a litigant’s ability to initiate court proceedings. De Long v. Hennessey,  
15 912 F. 2d 1144, 1146 (9th Cir. 1990). “[S]uch pre-filing orders are an extreme remedy that  
16 should rarely be used.” Molski v. Evergreen Dynasty Corp., 500 F. 3d 1047, 1057 (9th Cir.  
17 2007). However, “[f]lagrant abuse of the judicial process cannot be tolerated because it enables  
18 one person to preempt the use of judicial time that properly could be used to consider the  
19 meritorious claims of other litigants.” De Long, 912 F. 2d at 1148.

20           Before entering a pre-filing order, a court is to: (A) give the litigant notice and a chance  
21 to be heard before the order is entered; (B) compile an adequate record for review; (C) make  
22 substantive findings about the frivolous or harassing nature of the plaintiff’s litigation, and (D)  
23 narrowly tailor the vexatious litigant order “to closely fit the specific vice encountered.” Molski,  
24 500 F. 3d at 1057. The first and second factors are procedural considerations; the third and fourth  
25 factors are substantive considerations that help the district court “define who is, in fact, a  
26 ‘vexatious litigant’ as well as construct a remedy that will stop the litigant’s abusive behavior  
27 without unduly infringing the litigant’s right to access the courts.” Id. at 1057-58. As to the  
28 substantive factors, the Ninth Circuit has found a separate set of considerations (employed by the  
Second Circuit Court of Appeals) provide a helpful framework. Ringgold-Lockhart v. County of

1 Los Angeles, 761 F. 3d 1057, 1062 (9th Cir. 2014) (citing Molski, 500 F. 3d at 1058). These  
2 include consideration of the litigant’s history, motives, representation by counsel, as well as the  
3 expense to others or burdens on the court and the possibility of other sanctions. Molski, 500 F.  
4 3d at 1058 (quoting Safir v. U.S. Lines, Inc., 792 F. 2d 19, 24 (2d Cir. 1986)).

5 Additionally, the Eastern District has adopted California’s procedure from its “vexatious  
6 litigant” laws. See Local Rule 151(b) (adopting Cal. Civ. Proc. Code §§ 391–391.8). These laws  
7 were “designed to curb misuse of the court system by those persistent and obsessive litigants  
8 who, repeatedly litigating the same issues through groundless actions, waste the time and  
9 resources of the court system and other litigants.” Shalant v. Girardi, 51 Cal. 4th 1164, 1169  
10 (2011). The statute provides, among other things, that before an action is allowed to proceed, a  
11 plaintiff will be required to furnish security—meaning the litigant must “assure payment . . . of  
12 the party’s reasonable expenses, including attorney’s fees . . . incurred in or in connection with a  
13 litigation instituted . . . by a vexatious litigant.” Cal. Civ. Proc. Code § 391. If the plaintiff fails  
14 to furnish the security, the action will be dismissed. Id.

### 15 Analysis

16 Plaintiff’s litigation history demonstrates a pattern of frivolous and harassing actions.  
17 These acts call for her to be deemed a vexatious litigant. De Long, 912 F. 2d at 1146.

#### 18 **A. Notice and Opportunity to Be Heard**

19 Procedural due process is satisfied in this instance where the court notifies the litigant it is  
20 considering a vexatious litigant order, provides details about the scope of the proceedings, and  
21 allows for the litigant to respond to the court’s concerns. Ringgold-Lockhart, 761 F.3d at 1063.

22 The Court issued an order to show cause why Plaintiff should not be declared a vexatious  
23 litigant. (ECF No. 3.) Plaintiff was notified of this on August 28, 2019. Plaintiff did not file a  
24 written response, nor did she appear at the October 3, 2019 hearing. Thus, because Plaintiff was  
25 notified of the Court’s order to show cause, and because the Court held its hearing on the OSC,  
26 the procedural duty on this first of the DeLong factors is met. 912 F.2d at 1146; Ringgold-  
27 Lockhart, 761 F.3d at 1063 (finding due process satisfied where the litigant was notified of the  
28 vexatious–litigant motion and appeared at a hearing on the matter).

1           **B. Adequate Record for Review**

2           “An adequate record for review should include a listing of all the cases and motions that  
3 led the district court to conclude that a vexatious litigant order was needed.” De Long, 912 F. 2d  
4 at 1147. A district court compiles a proper record for review where a complete list of the cases  
5 filed by the litigant, alongside those complaints, accompanies the vexatious litigant order.  
6 Ringgold-Lockhart, 761 F.3d at 1063.

7           Plaintiff has filed over 50 actions in this court since 2014—almost half of which were  
8 filed in 2019.<sup>2</sup> As a general outline, the Court notes that in each, (a) Plaintiff attempts to assert  
9 claims under the criminal code; (b) in almost half, courts in this district have explicitly found the  
10 complaint to be legally frivolous; (c) when she has been given leave to amend, she fails to do so;

11 \_\_\_\_\_  
12 <sup>2</sup> See 2:19-cv-00037-MCE-EFB Igorova v Clinton; 2:14-cv-01415-GEB-EFB Igorova v.  
13 Obama; 2:14-cv-03014-MCE-KJN Igorova v. Target Corporation; 2:14-cv-03016-GEB-EFB  
14 Igorova v. Lieninger; 2:15-cv-00726-KJM-KJN Igorova v. HUD; 2:15-cv-00742-TLN-AC  
15 Igorova v. Kristyuk; 2:15-cv-00884-TLN-KJN Igorova v. Vintage Knools and Vintage Woods;  
16 2:15-cv-00885-TLN-CKD Igorova v. Jawale; 2:15-cv-01116-MCE-AC Igorova v.  
17 Intercontinental Hotel Group; 2:15-cv-01281-TLN-EFB Igorova v. Chase Bank; 2:15-cv-01531-  
18 KJM-CKD; Igorova v. Sacramento Police Dept.; 2:15-cv-01545-KJM-GGH Igorova v.  
19 Drozhhin; 2:15-cv-01603-MCE-GGH; Igorova v. Bondaruk; 2:15-cv-01651-MCE-CKD  
20 Igorova v. Fairwood Apartment; 2:15-cv-01691-KJM-CKD Igorova v. Palatnik; 2:16-cv-  
21 02930-KJM-EFB; Igorova v. Shlesinger; 2:17-cv-02001-MCE-AC Igorova v. Johnson; 2:17-  
22 cv-02221-GEB-KJN Igorova v. Hobble; 2:17-cv-02222-JAM-EFB Igorova v. Wilkerson; 2:17-  
23 cv-02296-JAM-DB Igorova v. Chernyetsky; 2:18-cv-00602-KJM-DB Igorova v. Social  
24 Security Administration; 2:18-cv-00610-KJM-AC Igorova v. Trump; 2:18-cv-00971-JAM-GGH  
25 Igorova v. Light House Apartments; 2:18-cv-00987-KJM-EFB Igorova v. Efimova; 2:18-cv-  
26 01515-TLN-EFB Igorova v. Trusu; 2:18-cv-01516-MCE-AC Igorova v. Cavier; 2:18-cv-  
27 01556-JAM-KJN Igorova v. Wellness Recovery Center; 2:18-cv-01580-MCE-CKD Igorova v.  
28 U.S. State Department; 2:18-cv-01581-JAM-EFB Igorova v. U.S. Department of Homeland  
Security; 2:18-cv-01582-KJM-EFB Igorova v. HUD Office; 2:18-cv-01734-JAM-DB Igorova  
v. Ziricaty; 2:19-cv-00036-TLN-DB Igorova v. Aslanyan; 2:19-cv-00038-JAM-KJN Igorova v.  
Brown; 2:19-cv-00167-JAM-DB Igorova v. Tsaricati; 2:19-cv-00729-MCE-EFB Igorova v.  
Pence; 2:19-cv-00730-TLN-CKD Igorova v. Fair Oaks Presbyterian; 2:19-cv-01028-MCE-DB  
Igorova v. Yegorov; 2:19-cv-01514-KJM-KJN Igorova v. Sereda; 2:19-cv-01553-TLN-KJN  
Igorova v. Becerra; 2:19-cv-00718-MCE-AC Igorova v. Welby; 2:19-cv-00719-TLN-CKD  
Igorova et al v. Recht; 2:19-cv-01109-JAM-CKD Igorova v. Pavel; 2:19-cv-01111-KJM-DB  
Igorova v. Ludmyla; 2:19-cv-01355-MCE-CKD Igorova v. Intercom Security; 2:19-cv-01358-  
MCE-EFB Igorova v. Lowder; 2:19-cv-01387-KJM-EFB Igorova v. Pruglo; 2:19-cv-01512-  
MCE-KJN Igorova v. Feygan; 2:19-cv-01515-MCE-DB Igorova v. Derebenskiy; 2:19-cv-  
01551-MCE-AC Igorova v. Thompson; 2:19-cv-01552-JAM-DB Igorova v. Ojingwa; 2:19-cv-  
01613-JAM-EFB Igorova v Shpak.

1 and (d) she consistently lists her address at places where she does not reside. (See Section I.C.1,  
2 below, for further detail). This collection of Plaintiff’s cases is more than adequate to provide the  
3 Court with a record demonstrating her vexatious conduct. See Molski, 500 F.3d at 1059 (finding  
4 the district court compiled a proper record for review where “[t]he record before the district court  
5 contained a complete list of the cases filed by Molski in the Central District of California, along  
6 with the complaints from many of those cases,” and where “[a]lthough the district court’s decision  
7 entering the pre-filing order did not list every case filed by Molski, it did outline and discuss  
8 many of them.”).

9 **C. The Frivolous or Harassing Nature of Plaintiff’s Litigation**

10 “[B]efore a district court issues a pre-filing injunction . . . it is incumbent on the court to  
11 make substantive findings as to the frivolous or harassing nature of the litigant’s actions.” De  
12 Long, 912 F. 2d at 1148. Under the Ninth Circuit’s framework, the court considers the following:

- 13 (1) the litigant’s history of litigation and in particular whether it entailed  
14 vexatious, harassing or duplicative lawsuits;  
15 (2) the litigant’s motive in pursuing the litigation, e.g., does the litigant have an  
16 objective good faith expectation of prevailing?;  
17 (3) whether the litigant is represented by counsel;  
18 (4) whether the litigant has caused needless expense to other parties or has posed  
19 an unnecessary burden on the courts and their personnel; and  
20 (5) whether other sanctions would be adequate to protect the courts and other  
21 parties.

22 Molski, 500 F. 3d at 1052 (quoting Safir, 792 F.2d at 24).

23 As described below, the weight of these considerations supports a substantive finding that  
24 Plaintiff has engaged in frivolous and harassing behavior by filing the lawsuits listed in footnote  
25 2, such that the third De Long factor favors instituting a pre-filing order.

26 (1) Plaintiff’s history of vexatious, harassing lawsuits.

27 Plaintiff has filed over 50 actions in this court since 2014, almost half of which have come  
28 in 2019 alone. Courts in this district have screened each of these, as Plaintiff has accompanied  
her complaint with a motion to proceed in forma pauperis in every case. See 28 U.S.C.  
§ 1915(e)(2) (“[T]he court shall dismiss the case at any time if the court determines that . . . the  
action . . . (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or

1 (iii) seeks monetary relief against a defendant who is immune from such relief.”). So far, all but  
2 one complaint has been dismissed at screening, and many because she asserts “frivolous” claims.

3 In each and every one of these actions, Plaintiff has asserted claims under 18 U.S.C. (the  
4 criminal code), which cannot be maintained by private citizens. See Allen v. Gold Country  
5 Cascino, 464 F.3d 1044, 1048 (9th Cir. 2006) (no private right of action for violation of criminal  
6 statutes). In many of the screening orders dismissing her case, courts in this district have told  
7 Plaintiff as much.<sup>3</sup> Despite this, she continues to file cases asserting claims under 18 U.S.C.<sup>4</sup>  
8 The undersigned notes that in five of her actions, Plaintiff did list claims under non-criminal  
9 statutes (mainly 42 U.S.C.), but these were dismissed for failure to state a claim or failure to  
10 amend.<sup>5</sup> In fact, in only in one instance has a court determined Plaintiff’s complaint was ready to  
11 be served on defendants.<sup>6</sup> In a majority of Plaintiff’s actions, she requests damages somewhere  
12 between nine and nine-hundred-ninety-nine trillion dollars.<sup>7</sup> These facts demonstrate frivolity.

13 Further, in twenty-two of Plaintiff’s fifty actions, courts in this district have explicitly  
14 found her complaint to be “frivolous.”<sup>8</sup> See Cook v. Peter Kiewit Sons Co., 775 F.2d 1030, 1035

---

15 <sup>3</sup> See, e.g., 2:19-cv-00036-TLN-DB (“Plaintiff appears to be claiming that defendant violated a  
16 criminal code, however, criminal provisions provide no basis for civil liability.”); 2:14-cv-3016-  
17 GEB-EFB (granting leave to amend under potential 42 U.S.C. § 1983, but dismissing claims  
18 under Title 18 of the United States Code because “those criminal statutes do not give rise to civil  
19 liability.”); 2:14-cv-03014-MCE-KJN (“Plaintiff, as a private citizen, has no standing to  
20 prosecute federal crimes”).

21 <sup>4</sup> See, e.g., 2:19-cv-01553-TLN-KJN (PS) (filed August 12, 2019, asserting the California  
22 Attorney General committed “crime conspiracy against life and personal property blind, insulin  
23 resistant petitioner under 18 U.S. Code 241, Assassination on federal Road I-5 . . .”).

24 <sup>5</sup> See 2:14-cv-01415-GEB-EFB (PS) Igorova v. Obama; 2:15-cv-00726-KJM-KJN (PS)  
25 Igorova v. HUD; 2:15-cv-00742-TLN-AC (PS) Igorova v. Kristyuk; 2:15-cv-00885-TLN-  
26 CKD (PS) Igorova v. Jawale.

27 <sup>6</sup> See 2:14-cv-03014-MCE-KJN (PS) (which the court liberally-construed as a negligence claim,  
28 and ultimately dismissed after Ms. Igorova failed to oppose the defendant’s motion to dismiss).

<sup>7</sup> See, e.g., 2:19-cv-01553-TLN-KJN (PS) Igorova v. Becerra (requesting “Ninety-Nine trillion  
dollars USA” for the California Attorney General’s alleged “Assassination on federal Road I-5.”)

<sup>8</sup> 2:14-cv-03016-GEB-EFB (PS) Igorova v. Lieninger; 2:15-cv-00742-TLN-AC (PS) Igorova v.  
Kristyuk; 2:15-cv-00884-TLN-KJN (PS) Igorova v. Vintage Knools and Vintage Woods; 2:15-

1 (9th Cir. 1985) (“Under the substantiality doctrine, the district court lacks subject matter  
2 jurisdiction when the question presented is too insubstantial to consider.”); Apple v. Glenn, 183  
3 F.3d 477, 479 (6th Cir. 1999) (“a district court may, at any time, sua sponte dismiss a complaint  
4 for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil  
5 Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial,  
6 frivolous, devoid of merit, or no longer open to discussion.”). Another subset of courts have  
7 dismissed Plaintiff’s complaint as either “unintelligible,” “fanciful,” “disjointed,” or  
8 “delusional”— which the undersigned construes as “frivolous” in nature.<sup>9</sup> See Id.

9 Finally, the undersigned notes that in twenty of Plaintiff’s actions, although courts granted  
10 her leave to amend, she only amended three times—each of which ultimately failed for lack of  
11 subject matter jurisdiction or failure to state a claim.<sup>10</sup> See Chambers v. NASCO, Inc., 501 U.S.

12 \_\_\_\_\_  
13 cv-00885-TLN-CKD (PS) Igorova v. Jawale; 2:15-cv-01116-MCE-AC (PS) Igorova v.  
14 Intercontinental Hotel Group; 2:15-cv-01545-KJM-GGH (PS) Igorova v. Drozhzhin; 2:15-cv-  
15 01603-MCE-GGH (PS) Igorova v. Bondaruk; 2:15-cv-01651-MCE-CKD (PS) Igorova v.  
16 Fairwood Apartment; 2:15-cv-01691-KJM-CKD (PS) Igorova v. Palatnik; 2:18-cv-01556-JAM-  
17 KJN (PS) Igorova v. Wellness Recovery Center; 2:18-cv-01580-MCE-CKD (PS) Igorova v.  
18 U.S. State Department; 2:19-cv-00038-JAM-KJN (PS) Igorova v. Brown; 2:19-cv-00719-TLN-  
19 CKD (PS) Igorova et al v. Recht; 2:19-cv-00037-MCE-EFB (PS) Igorova v. Clinton; 2:19-cv-  
00718-MCE-AC (PS) Igorova v. Welby; 2:19-cv-01109-JAM-CKD (PS) Igorova v. Pavel;  
2:18-cv-00602-KJM-DB (PS) Igorova v. SSA; 2:18-cv-01734-JAM-DB (PS) Igorova v.  
Ziricaty; 2:19-cv-01355-MCE-CKD (PS) Igorova v. Intercom Security; 2:19-cv-01551-MCE-  
AC (PS) Igorova v. Thompson; 2:19-cv-01514-KJM-KJN (PS) Igorova v. Sereda; 2:19-cv-  
01553-TLN-KJN (PS) Igorova v. Becerra.

20 <sup>9</sup> 2:15-cv-01531-KJM-CKD (TEMP)(PS) Igorova v. Sacramento Police Dept.; 2:18-cv-01515-  
21 TLN-EFB (PS) Igorova v. Trusu; 2:18-cv-01581-JAM-EFB (PS) Igorova v. DHS; 2:18-cv-  
22 01582-KJM-EFB (PS) Igorova v. HUD Office; 2:19-cv-00036-TLN-DB (PS) Igorova v.  
23 Aslanyan; 2:17-cv-02001-MCE-AC (PS) Igorova v. Johnson; 2:18-cv-01516-MCE-AC (PS)  
24 Igorova v. Cavier; 2:18-cv-00610-KJM-AC (PS) Igorova v. Trump; 2:19-cv-00730-TLN-  
25 CKD (PS) Igorova v. Fair Oaks Presbyterian; 2:18-cv-00602-KJM-DB (PS) Igorova v. SSA;  
26 2:18-cv-01734-JAM-DB (PS) Igorova v. Ziricaty; 2:19-cv-00729-MCE-EFB (PS) Igorova v.  
Pence; 2:17-cv-02221-GEB-KJN (PS) Igorova v. Hobbles; 2:15-cv-01281-TLN-EFB (PS)  
Igorova v. Chase Bank; 2:16-cv-02930-KJM-EFB (PS) Igorova v. Shlesinger; 2:17-cv-02222-  
JAM-EFB (PS) Igorova v. Wilkerson; 2:17-cv-02296-JAM-DB (PS) Igorova v. Chernyetsky;  
2:19-cv-01355-MCE-CKD (PS) Igorova v. Intercom Security.

27 <sup>10</sup> 2:14-cv-01415-GEB-EFB (PS) Igorova v. Obama; 2:14-cv-03014-MCE-KJN (PS) Igorova v.  
28 Target; 2:14-cv-03016-GEB-EFB (PS) Igorova v. Lieninger; 2:15-cv-00726-KJM-KJN (PS)  
Igorova v. HUD; 2:15-cv-00742-TLN-AC (PS) Igorova v. Kristyuk; 2:15-cv-00884-TLN-

1 32, 44 (1991) (recognizing that a court “may act sua sponte to dismiss a suit for failure to  
2 prosecute”); Hells Canyon Preservation Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir.  
3 2005) (recognizing that courts may dismiss an action pursuant to Federal Rule of Civil Procedure  
4 41(b) sua sponte for a plaintiff’s failure to prosecute or comply with the rules of civil procedure  
5 or the court’s orders); Ferdik v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir. 1992) (“Pursuant to  
6 Federal Rule of Civil Procedure 41(b), the district court may dismiss an action for failure to  
7 comply with any order of the court.”). Only once has Plaintiff voluntarily dismissed her own  
8 claim, after requesting a return of the filing fee.<sup>11</sup> These acts demonstrate harassment.

9 Thus, the above record supports a substantive vexatious finding, given Plaintiff’s history  
10 of frivolous and harassing litigation. Molski, 500 F.3d at 1059 (“Frivolous litigation is not  
11 limited to cases in which a legal claim is entirely without merit. It is also frivolous for a claimant  
12 who has some measure of a legitimate claim to make false factual assertions.”); see also In re  
13 Oliver, 682 F.2d 443, 444 (3d Cir. 1982) (more than fifty frivolous cases).

14 (2) Plaintiff’s motive and the lack of objective good faith expectation of  
15 prevailing.

16 Courts in this district have screened over 50 of Plaintiff’s complaints since 2014. Therein,  
17 Plaintiff has been informed in an overwhelming majority of these cases of the following:

- 18 a. She cannot raise claims under the federal criminal code (18 U.S.C.);
- 19 b. To maintain claims in federal court, she must follow the Federal Rules of  
20 Civil Procedure, including Rule 8(a)’s requirement to lodge a “short and plain  
21 statement” of her claim, with factual allegations connecting the particular  
22 defendants with the causes of action she intends to assert;

22 KJN (PS) Iegorova v. Vintage Knools and Vintage Woods; 2:15-cv-00885-TLN-CKD (PS)  
23 Iegorova v. Jawale; 2:15-cv-01116-MCE-AC (PS) Iegorova v. Intercontinental Hotel Group  
24 2:15-cv-01281-TLN-EFB (PS) Iegorova v. Chase Bank; 2:15-cv-01531-KJM-CKD (TEMP)(PS)  
25 Iegorova v. Sacramento Police Dept.; 2:15-cv-01545-KJM-GGH (PS) Iegorova v. Drozhzhin;  
26 2:15-cv-01603-MCE-GGH (PS) Iegorova v. Bondaruk; 2:15-cv-01651-MCE-CKD (PS) Iegorova  
27 v. Fairwood Apartment; 2:15-cv-01691-KJM-CKD (PS) Iegorova v. Palatnik; 2:16-cv-02930-  
28 KJM-EFB (PS) Iegorova v Shlesinger; 2:17-cv-02001-MCE-AC (PS) Iegorova v. Johnson; 2:17-  
cv-02221-GEB-KJN (PS) Iegorova v. Hobbles; 2:17-cv-02222-JAM-EFB (PS) Iegorova v.  
Wilkerson; 2:17-cv-02296-JAM-DB (PS) Iegorova v. Chernyetsky; 2:18-cv-00602-KJM-DB (PS)  
Iegorova v. SSA.

<sup>11</sup> 2:18-cv-00987-KJM-EFB (PS) Iegorova v. Efimova.

- 1 c. Federal courts do not have subject matter jurisdiction over frivolous, fanciful,  
2 or delusional claims; and  
3 d. Plaintiff must keep the court apprised of her current address.

4 Despite these warnings and guidance, as well as these courts' liberal granting of leave to amend,  
5 Plaintiff continues to file baseless, fanciful, delusional, and frivolous claims. Thus, the  
6 undersigned sees no possible way a litigant in Plaintiff's position could maintain a good-faith  
7 expectation of prevailing in her actions. See Endsley v. California, 2014 WL 5335857 (C.D.  
8 Cal. Oct. 16, 2014) (aff'd in part, Endsley v. California, 627 Fed App'x 644 (9th Cir. 2015)) (civil  
9 detainee declared a vexatious litigant after bringing numerous cases alleging the same  
10 constitutional "violations;" the court found Plaintiff could not have had an "objective good faith  
11 expectation of prevailing" on claims he had already been told were not cognizable). This factor  
12 weighs in favor of a vexatious finding.

13 (3) Plaintiff's lack of counsel.

14 In each of Plaintiff's actions, she has proceeded without counsel. (See, e.g., 2:19-cv-1512-  
15 MCE-KJN PS at ECF No. 1.) Though courts are generally protective of pro se litigants, the  
16 undersigned finds this factor cannot outweigh Plaintiff's abusive litigation tactics. This is so  
17 especially since courts in this district have attempted to inform Plaintiff of the above issues since  
18 2014—information she has disregarded.

19 (4) The needless expense and unnecessary burden on the court and its  
20 personnel.

21 Of Plaintiff's 52 complaints filed in this court since 2014, almost half have come in 2019  
22 alone. Of concern to the Court is that Plaintiff continues to use two addresses (one in Sacramento  
23 and one in Carmichael) that do not appear to be her own. Instead of updating the header on her  
24 complaints with her correct address, Plaintiff continues to use these out-of-date addresses. The  
25 court has received multiple requests from the residents of the Sacramento address, pleading with  
26 the court to end Plaintiff's use of their address "without authorization." (See 2:19-cv-0167 JAM-  
27 DB at ECF No. 3; 2:19-cv-1582 KJM-EFB at ECF No. 3, attached as Exhibit 1 to this order.)

28 ///

1 Further, Plaintiff's abusive tactics have imposed an unnecessary burden on the personnel  
2 of this court. Employees in the Clerk's office continually scan and file her frivolous complaints  
3 and motions, which judges in this court must review (and given her history of ignoring of the  
4 courts' orders regarding her persistent defects, must dismiss); the Clerk's office must then mail  
5 out these orders, which inevitably are undelivered due to Plaintiff's failure to update the court  
6 with her address.

7 Thus, unless the Court halts Plaintiff's actions, her abusive tactics will continue to place  
8 an unnecessary burden on other parties as well as the court and its personnel. See Spain v. EMC  
9 Mortg. Co., 2010 WL 3940987, at \*12 (D. Ariz. Sept. 27, 2010), aff'd sub nom. 487 F. App'x 411  
10 (9th Cir. 2012) (finding unnecessary burden where the litigant persistently filed motions and other  
11 submissions that were baseless, causing unnecessary expense to the parties and needless burden  
12 on the courts).

13 (5) The inadequacy of lesser sanctions.

14 Under 28 U.S.C. § 1915(e)(2), courts in this district have screened Plaintiff's complaints  
15 for frivolous claims, claims that fail under Rule 8, and claims asserted against immune  
16 defendants. In twenty of those instances where a potential claim may lie, the court has instructed  
17 Plaintiff on how to amend to state a claim and granted her leave to amend. However, Plaintiff has  
18 taken the court up on amending only three times—and in those cases, the court has ultimately  
19 dismissed for failing to state a claim or failure to allege jurisdiction. The other fifteen times,  
20 Plaintiff did not amend or otherwise respond to the courts' screening order, leading these courts  
21 to dismiss for the reasons stated in the screening order as well as for failing to amend the  
22 complaint. Twice, the court has imposed monetary sanctions on Plaintiff for failing to follow a  
23 court order, but those sanctions have gone unheeded—and the claims ultimately were dismissed.  
24 Given Plaintiff's consistent use of the in forma pauperis motion, it is unlikely monetary sanctions  
25 would be effective. Thus, the undersigned has concluded that the only way to end Plaintiff's  
26 abusive and frivolous litigation is to consider a restrictive pre-filing order. See Warren v.  
27 Guelker, 29 F.3d 1386, 1390 (9th Cir. 1994) (finding that when conduct can be “adequately  
28 sanctioned under the Rules, the court ordinarily should rely on the Rules rather than the inherent

1 power.”); but see Spain, 2010 WL 3940987, at \*12 (“Especially because plaintiff has not heeded  
2 any of this court's prior warnings regarding the manner in which he has conducted this litigation,  
3 the need for a carefully circumscribed pre-filing order is readily apparent.”).

#### 4 **D. Narrowly Tailored Vexatious Litigant Order**

5 In Molski, the Ninth Circuit approved the scope of a vexatious litigant order because it  
6 prevented the plaintiff from filing “only the type of claims [he] had been filing vexatiously,” and  
7 “because it will not deny [him] access to courts on any . . . claim that is not frivolous.” Molski,  
8 500 F.3d at 1061. Here, in order to prevent the types of claims Plaintiff has been filing  
9 vexatiously, the undersigned recommends the following pre-filing order:

- 10 a.) Any future filing, of any kind, by Plaintiff in the United States District Court for the  
11 Eastern District of California shall contain the following words in all capital letters at  
12 the top of the front page: “PLAINTIFF HAS BEEN DECLARED A VEXATIOUS  
13 LITIGANT, AS PER CASE NO. 2:19-cv-1512-MCE-KJN (PC).” If a proposed filing  
14 does not contain that heading, the Clerk of the Court shall lodge, not file, the proposed  
15 filing, nor shall the Court review it—any incomplete filings shall be returned to  
16 Plaintiff without further action of the court;
- 17 b.) If Plaintiff submits an action as a self-represented plaintiff accompanied by the above  
18 declaration, the Clerk of the Court is directed to open the matter as a miscellaneous  
19 case to be considered by the General Duty Judge of this court. The Duty Judge shall  
20 then determine whether the case is in fact non-frivolous. If it is frivolous, the Duty  
21 Judge shall dismiss the action without further comment, pursuant to this pre-filing  
22 order. If it is not frivolous, the Duty Judge shall order the Clerk to allow the  
23 complaint to be filed as normal; and
- 24 c.) The requirements of subparagraphs (a) and (b) shall be waived if Plaintiff's filing is  
25 made on her behalf by a licensed attorney at law in good standing who signs the filing  
26 as the attorney of record for Plaintiff.

27 The undersigned finds the scope of this order narrow enough to still allow Plaintiff access to the  
28 courts, but broad enough to cover—and halt—her vexatious behavior. Molski, 500 F.3d at 1061.

1 **FINDINGS AND RECOMMENDATIONS**

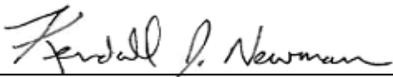
2 Accordingly, IT IS HEREBY RECOMMENDED that:

- 3 1. Plaintiff’s Complaint (ECF No. 1) be DISMISSED for lack of subject matter  
4 jurisdiction pursuant to the substantiality doctrine;  
5 2. Plaintiff’s motion to proceed in forma pauperis (ECF No. 2) be DENIED as moot;  
6 3. Plaintiff be DECLARED a Vexatious Litigant; and  
7 4. The Court ISSUE a pre-filing order as described in Section II.D. above.

8 These findings and recommendations are submitted to the United States District Judge  
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14)  
10 days after being served with these findings and recommendations, any party may file written  
11 objections with the court and serve a copy on all parties. Such a document should be captioned  
12 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections  
13 shall be served on all parties and filed with the court within fourteen (14) days after service of the  
14 objections. The parties are advised that failure to file objections within the specified time may  
15 waive the right to appeal the District Court’s order. Turner v. Duncan, 158 F.3d 449, 455 (9th  
16 Cir. 1998); Martinez v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

17 IT IS SO RECOMMENDED.

18 Dated: October 7, 2019

19   
20 \_\_\_\_\_  
21 KENDALL J. NEWMAN  
22 UNITED STATES MAGISTRATE JUDGE

23 iego.1512  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT A

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

March 11, 2019

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
OFFICE OF THE CLERK  
501 I Street, Suite 4-200 Sacramento, CA 95814-2322**

**FILED**  
Mar 13, 2019  
CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

Re: ABUSE OF OUR BUSINESS ADDRESS  
IGOR Iegorov  
LYUDMILA Iegorova

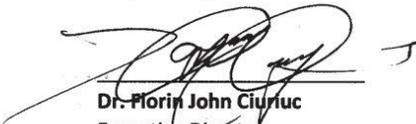
2:19-cv-0167 JAM DB (PS)  
2:18-cv-1582 KJM EFB (PS)

**Dear Court Clerk**

With all respect please be advised that the above individuals are using the Slavic Community Center of Sacramento, Inc. with no legal authorization from us. This is a true abuse and we want this to immediately stop. This is an official business address not a residence.

Thank you for your understanding.

Respectfully,

  
**Dr. Florin John Ciuruc**  
Executive Director  
2999 Fulton Ave  
Sacramento, CA 95821-4909