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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELROY K. WADE,

Plaintiff,

No. C 10-00425 WHA

v.

WOODY GILLILAND, et al.,

Defendants.

**ORDER DENYING MOTIONS TO
REOPEN CASE AND VACATE
JUDGMENT AND FOR
PRELIMINARY INJUNCTION**

United States District Court
Northern District of California

Wade’s motions to reopen case and vacate judgment and for a preliminary injunction seek to vacate an order entered by the undersigned judge finding Wade to be a vexatious litigant and subjecting him to a pre-filing order. That order was entered in 2010. The order was based on (i) Wade’s admission on the record, in open court, that he was a vexatious litigant, and (ii) the fact that he had filed fifteen lawsuits against the Department of Labor and its employees from 2005–2010 all based on the same grievances and all meritless.

Plaintiff has filed five motions in this case, No. C 10-00425-WHA, seeking to vacate the pre-filing order on the ground that it was entered without jurisdiction and without affording Wade due process of law. It has been repeatedly explained to Wade, including by the Ninth Circuit, that these arguments are meritless.

In short, this Court had authority to enter the pre-filing order and Wade was given abundant opportunity to contest the government’s request for entry of the order. Wade candidly admitted he is a vexatious litigant. The pre-filing order is entirely proper.

The motions are **DENIED**. Wade must not file any more motions in this action.

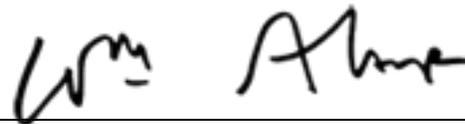
The hearing set for October 7, 2021 on the motion for a preliminary injunction is

VACATED.

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IT IS SO ORDERED.

Dated: September 7, 2021



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
Northern District of California