

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. LYNN GAVIN,

Plaintiff,

v.

STELLAR MANAGEMENT,

Defendant.

Case No. [16-mc-80024-JD](#)

ORDER DENYING FILING

On January 12, 2016, Judge Chen of this court entered an order finding pro se plaintiff Lynn Gavin to be a vexatious litigant. *Gavin v. City and County of San Francisco*, Case No. 15-cv-05202 (N.D. Cal. 2015), Dkt. No. 9. The order was in response to 10 separate lawsuits Gavin filed with her son, Bamidele Hambolu, challenging their 2012 eviction from the Parkmerced apartments for failing to pay “usurious” utility bills. *Id.* at 1. Judge Chen dismissed the case with prejudice on multiple grounds, including preclusion, statute of limitations, failure to prosecute, failure to state a viable claim, and failure to comply with administrative requirements such as the California Torts Claims Act. Dkt. No. 7. The vexatious litigant order states that the Clerk of the Court may not file or accept any additional complaints by Gavin raising claims about the eviction until the Duty Judge determines that the complaint should be accepted. Dkt. No. 9 at 7.

On January 29, 2016, Gavin lodged with the Clerk a complaint and application for a temporary restraining order that the undersigned has reviewed as the current Duty Judge. The complaint is 120 pages long and appears to add new parties and allege somewhat different claims than the 10 prior complaints, but the gravamen of the lawsuit is still the allegedly wrongful eviction from the Parkmerced apartments. All of the preceding complaints about that incident were dismissed as patently meritless, and this complaint warrants the same fate.

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The Clerk of the Court is directed not to accept the complaint or TRO motion from plaintiff Givens.

IT IS SO ORDERED.

Dated: January 29, 2016



JAMES DONATO
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LYNN GAVIN,
Plaintiff,

v.

STELLAR MANAGEMENT,
Defendant.

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CERTIFICATE OF SERVICE

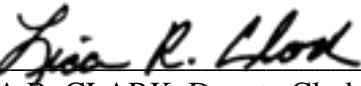
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 4, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Lynn Gavin
General Delivery Private Attorney General
San Francisco, CA 94102

Dated: February 4, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO