

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
28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E.K. WADE,

Plaintiff,

v.

ELAINE CHAO, Former Secretary of Labor,
et al.,

Defendants.

Case No. 17-MC-80085

ORDER DISMISSING COMPLAINT

Plaintiff E.K. Wade is a vexatious litigant who has, since 2006, been subject to a pre-filing order requiring him to get this Court's permission "before filing any additional complaints against the Veterans Affairs Northern California Health Care System, any of its employees, or against the United States or any other government official in connection with his disputes with the VA system." Wade v. United States, Case No. 3:06-cv-02346-CRB, Docket No. 55 (Dec. 14, 2006) ("Prefiling Order").

On January 3, 2017, Plaintiff Wade filed this action in the Eastern District of California. Wade v. Chao, Case No. 2:17-cv-0004-TLN-DB (E.D. Cal. Jan. 3, 2017). Because the events giving rise to the complaint took place in this Northern District of California, the Eastern District transferred the case to this district by order dated July 5, 2017. ECF No. 39.

Plaintiff Wade did not seek permission of this Court before filing this case, even though he knew when he filed the case in the Eastern District that it would be transferred to this district. See Transfer Order at 2. A review of the current complaint discloses that Plaintiff is suing "the United States or any other government official in connection with his disputes with the VA system." See ECF No. 3 at 12-13 (alleging that certain defendants conspired to "physically detain Plaintiff and have security to physically escort him to and from his conduction of personal business with such

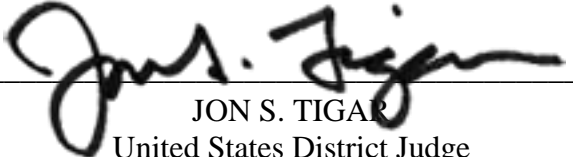
United States District Court
Northern District of California

1 entities as the Veterans Affairs [and] Disabled American Veterans”); 45 (same); 67 (copy of
2 Plaintiff’s FOIA request to the Department of Veterans Affairs); 70 (response from the
3 Department of Veterans Affairs); 72 (request for release of information from Department of
4 Veterans Affairs). Therefore, pursuant to the Prefiling Order, he was required to obtain
5 permission of this Court before filing his complaint.

6 Because this case has been transferred to this District by the Eastern District of California,
7 the Court will direct the clerk to accept the case for filing so as to give effect to the Eastern
8 District’s lawful order of transfer. However, pursuant to the Prefiling Order, Plaintiff’s complaint
9 is now DISMISSED WITHOUT PREJUDICE. Plaintiff may seek to refile his complaint after he
10 has obtained the permission of the Court.

11 IT IS SO ORDERED.

12 Dated: July 7, 2017



JON S. TIGAR
United States District Judge