1

2

3   UNITED STATES DISTRICT COURT

4   FOR THE NORTHERN DISTRICT OF CALIFORNIA

5   OAKLAND DIVISION

6

7 VESNA BIVOLAREVIC,   Case No: C 09-4620 SBA

8   Plaintiff,   **ORDER**

9   vs.   Docket 31, 34, 36, 43

10 U.S. CIA,

11   Defendant.

12

13   On September 30, 2009, Plaintiff filed a pro se complaint against the CIA (presumably

14 meaning the Central Intelligence Agency) alleging that she has been subjected to "voice to skull

15 technology (in different forms) since . . . January 2005. I learned it is a mind control weapon, and

16 this was imposed to me (sic) without my knowledge." Compl. at 1, Docket 1.

17   On January 11, 2010, Plaintiff filed "Request to Check the Validity of the Defendant's

18 Motion to Dissmis (sic) the Complaint." (Docket 31.) On January 13, 2010, she filed the identical

19 motion. (Docket 34.) In turn, both of these motions are identical to the one Plaintiff filed on

20 January 6, 2010, and which the Court denied on January 12, 2010. (Docket 32.) Thus, for the

21 same reasons, Plaintiff's motions are denied—again.

22   On January 26, 2010, Plaintiff filed a "Request to Defendant for Written Permission to

23 Amend the Complaint." (Docket 26.) This appears to be a request to the Defendant to stipulate to

24 the filing of an amended complaint, which Defendant has declined to do. (Docket 38.) To the

25 extent that the Court liberally construes Plaintiff's filing as a motion for leave to amend, such

26 request is denied on the ground that such motion is not in compliance with Civil Local Rule 7,

27 which governs the filing of motions. Plaintiff is advised to review that provision, as well as

28

Federal Rule of Civil Procedure 15 for guidance on how to properly file a motion for leave to file an amended complaint.

On February 4, 2010, Plaintiff filed a "Request to Defendant for Written Answer: Who is Defendant's Lead Counsel." (Docket 43.) To the extent that Plaintiff is seeking an order compelling Defendant to provide that answer, the request is frivolous. The identity of Defendant's counsel is listed on the various papers filed by Defendant in this action.

In sum, the above motions are either duplicative of earlier motions and/or frivolous. In its Order of January 12, 2010, the Court stated: "Plaintiff is warned that any papers that are not authorized by a statute, the Federal Rules of Civil Procedure, the Court's Local Rules or are not in response to an order of the Court" will not be considered. Plaintiff has ignored that warning and continues to file nonsensical requests with the Court. Plaintiff is once again warned that the further submission of improper and meritless motions will be deemed grounds for dismissal. Fed.R.Civ.P. 41(b). Accordingly,

IT IS HEREBY ORDERED THAT:

1.   Plaintiff's "Request to Check the Validity of the Defendant's Motion to Dissmis (sic) the Complaint" is DENIED.

2.   Plaintiff's "Request to Defendant for Written Permission to Amend the Complaint" is DENIED.

3.   Plaintiff's "Request to Defendant for Written Answer: Who is Defendant's Lead Counsel" is DENIED.

4.   Order terminates Docket Nos. 31, 34, 36 and 43.

IT IS SO ORDERED.

Dated: February 5, 2010

_____
SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VESNA BIVOLAREVIC,

        Plaintiff,

  v.

U.S. CIA et al,

        Defendant.

_____/

Case Number: CV09-04620 SBA

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 5, 2010, 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.

Vesna Bivolarevic
P.O. Box 1056
Redwood City, CA 94064

Dated: February 5, 2010

                Richard W. Wieking, Clerk

                    By: LISA R CLARK, Deputy Clerk