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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

ONE MACHINE GUN/SHORT
BARRELED RIFLE AND
MISCELLANEOUS FIREARMS AND
AMMUNITION,
Defendant.

Case No. [5:10-cv-04766-EJD](#)

**ORDER DENYING DEFENDANT'S
MOTION FOR RELIEF FROM
JUDGMENT**

Re: Dkt. No. 53

On September 11, 2017, this Court granted the government's motion for summary judgment (Dkt. No. 51) and entered judgment accordingly (Dkt. No. 52).

Steven Lee Vargem now moves for relief from that judgment under Fed. R. Civ. P. 60. Mot. for Relief from J. ("Mot."), Dkt. No. 53. Vargem's position is difficult to discern, but he appears raise arguments that are similar to the arguments he raised in opposition to the government's motion for summary judgment. Dkt. No. 48. He seems to argue that he is not subject to personal jurisdiction in this Court because admiralty laws apply and because he is not a U.S. citizen. Mot. 11–12. He also appears to argue that the "United States of America" is a separate entity from the United States Government. Id. at 3.

Case No.: [5:10-cv-04766-EJD](#)

ORDER DENYING DEFENDANT'S MOTION FOR RELIEF FROM JUDGMENT

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The Court finds that, as before, Vargem’s arguments are frivolous and do not warrant further discussion. See Order Granting Def.’s Mot. for Summ. J., Dkt. No. 51; United States v. Dawes, 161 F. App’x 742, 746 (10th Cir. 2005) (finding that the same arguments are “legally frivolous and do not merit further comment”); U.S. v. Rice, Nos. 2:09-cr-00078-JCM, 2:10-cr-00520-JCM, 2012 WL 2995686, at *1 (D. Nev. July 3, 2012) (finding that the same arguments are “entirely frivolous and without legal basis”).

IT IS SO ORDERED.

Dated: November 20, 2017



EDWARD J. DAVILA
United States District Judge