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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CHUKWUMA AZUBUKO,

v.

FRAMINGHAM STATE COLLEGE,

Plaintiff,

Defendant.

CASE 01-CV-2258 W (POR)
**ORDER DENYING
PLAINTIFF’S REQUEST FOR
RELIEF FROM JUDGMENT
UNDER RULE 60(b) [DOC. 15]**

On December 7, 2001, Plaintiff Chukwuma Azubuko, proceeding *pro se*, filed suit in this Court against Framingham State College.¹ (*Compl.* [Doc. 1].) Azubuko appeared to allege various state and federal claims against professors and administration at Framingham State College. (*See id.*) On December 11, 2001, the Court *sua sponte* dismissed Azubuko’s complaint *without prejudice* for improper venue, because it was clear from the complaint that both Azubuko and Framingham State College resided in Massachusetts, and all events relevant to the complaint occurred in Massachusetts. (*Dism. Order* [Doc. 2]); see Costlow v. Weeks, 790 F.2d 1486, 1488 (9th Cir. 1986).

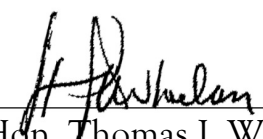
¹ Framingham State College was never served in this action.

1 In the nearly eleven years since this Court dismissed Azubuko's complaint,
2 Azubuko has filed four motions to re-open his case under Federal Rule of Civil
3 Procedure 60(b). (*See Mots. Re-open* [Docs. 4, 5, 13, 15].) To this point, the Court has
4 consistently rejected those motions for failure to follow the procedural rules of the
5 United States District Court for the Southern District of California. (*See id.*) On one
6 occasion, in 2002, Azubuko appealed this Court's rejection of his motion to re-open to
7 the Ninth Circuit Court of Appeals. (*See Not. Appeal* [Doc. 6].) The Ninth Circuit
8 summarily affirmed this Court's decision. (*Ninth Cir. Order* [Doc. 12].)

9 Azubuko has recently filed another motion to re-open his case, his fourth overall.
10 (*Fourth Mot. Re-open* [Doc. 15].) The fourth motion, like the others, is largely
11 incomprehensible and fails to address the single reason that his case was dismissed in
12 2001: improper venue. (*See id.*) Therefore, the Court **DENIES** Azubuko's request to re-
13 open his case under Rule 60(b). No additional motions filed by, or on behalf of
14 Azubuko will be considered in this case.

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16 **IT IS SO ORDERED.**

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18 DATED: June 11, 2012

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22 Hon. Thomas J. Whelan
23 United States District Judge
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