

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

In re:	:	
	:	
WAYNE T. GAMBLE,	:	LEAD CASE
	:	Civ. No. 17-225-LPS
Plaintiff/Movant.	:	

MEMORANDUM ORDER

At Wilmington this *John* *July* day of ~~June~~, 2019:

1. Plaintiff has engaged in filing numerous lawsuits that contain frivolous legal arguments and are vexatious and abusive of the judicial process. On September 18, 2018, Plaintiff was enjoined from filing, without prior authorization of the Court, any complaint, lawsuit, or petition for writ of mandamus, raising issues regarding the theft of his property or money (\$899,000,000,000) from bank accounts; that he was wrongly accused of murder but has been cleared by forensic evidence; water contamination; murder plots; and wrongful incarceration of third parties. (See D.I. 14)

2. Plaintiff has continued to ~~to~~ filing numerous lawsuits, all of which are frivolous, and many of which do not contain prayers for relief. Plaintiff has been allowed to filed the lawsuits because they do not raise any of the issues as set forth in his first banning order. The frivolous filings are vexatious and abuse of the judicial process. Since September 18, 2018, Plaintiff has filed the following lawsuits in this District Court: **Civil Nos.** 18-1632-LPS, *Gamble v. The United States District Court of Delaware, Clerk's Office*; 18-1652-LPS, *Gamble v. Social Security Administration*; 18-1653-LPS, *Gamble v. United States Post Office and Postal Services*; 18-1654-LPS, *Gamble v. The United States District Court of Delaware*; 19-545-LPS, *Gamble v. Boonswang Law Firm*; 19-853-UNA, *Gamble v. United States District Court of Delaware*; 19-854-UNA, *Gamble v. Court 13, Justice of the Peace Court*; and **Miscellaneous Nos.** 18-281-LPS, *Gamble v. The United States District Court of Delaware, Clerk's Office*;

18-289-LPS, *Gamble v. Social Security Administration*; 18-290-LPS, *Gamble v. United States Post Office and Postal Services*; 18-291-LPS, *Gamble v. The United States District Court of Delaware, Clerk's Office*; 18-316-LPS, *Gamble v. South and North Federal Agents*; 19-061-LPS, *Gamble v. Boonswang Law Firm*; 19-093-LPS, *Gamble v. United States District Court of Delaware*; 19-106-LPS, *Gamble v. Court 13, Justice of the Peace Court*; 19-113-LPS, *Gamble v. Wilmington Housing Authority*. The Court has reviewed the Complaints and Motions for Leave to File a Complaint in each of the above-listed cases and finds none of them state a claim upon which relief may be granted. Indeed, the allegations are frivolous, unspecified and irrational, and most do not contain prayers for relief.

3. As a result of the numerous filings in this Court, on May 28, 2019, Plaintiff was ordered to show cause why he should not be enjoined from filing any complaint, lawsuit, or petition for writ of mandamus, filed in the United States District Court for the District of Delaware, raising issues that are frivolous or malicious and/or that do not contain a prayer for relief. Plaintiff was given until June 21, 2019 to respond to the show cause order. (D.I. 20)

4. A district court has the power to enjoin vexatious litigants from filing meritless pleadings where the pleadings raise issues identical or similar to those that have already been adjudicated. *See* 28 U.S.C. § 1651; *Matter of Packer Ave. Assoc.*, 884 F.2d 745, 747 (3d Cir. 1989); *Yadav v. Surtees*, 87 F. App'x 271 (3d Cir. Jan. 27, 2004). The Court, in considering enjoining Plaintiff as a vexatious litigant from future litigation, provided him sufficient notice and an opportunity to be heard in the form of a Show Cause Order entered May 28, 2019. *See Brow v. Farrelly*, 994 F.2d 1027, 1038 (3d Cir. 1993). Plaintiff did not file a response to the Show Cause Order.

5. Plaintiff has failed to show cause why he should not be enjoined from filing any complaint, lawsuit, or petition for writ of mandamus filed in the United States District Court for the

District of Delaware, raising issues that are frivolous or malicious and/or that do not contain a prayer for relief.

IT IS THEREFORE ORDERED that:

1. Plaintiff is hereby enjoined from filing, without prior authorization of the Court, any complaint, lawsuit, or petition for writ of mandamus, raising issues filed in the United States District Court for the District of Delaware, raising issues that are frivolous or malicious and/or that do not contain a prayer for relief.

2. Plaintiff must file a motion for leave to file with any new complaint, lawsuit, or petition for writ of mandamus that he proposes to file and must attach a copy of this memorandum order to it. The motion shall be filed, *In Re: Wayne Gamble*, Plaintiff/Movant, Lead Case Civ. No. 17-225-LPS.

3. As an exhibit to any motion seeking such leave, there must be attached a declaration prepared pursuant to 28 U.S.C. § 1746 or a sworn affidavit certifying that (a) the document raises a new issue that has never been previously raised by the filer in this or any other court, (b) the claim or issue is not frivolous, (c) the document is not filed in bad faith, and (d) a statement as to the basis for jurisdiction and venue in the District of Delaware.

4. The Court shall deny any motion for leave to file if the proposed document is frivolous, vexatious, or harassing. If the motion is denied, the document shall not be filed. The failure to comply with this memorandum order shall be sufficient grounds for this court to deny any motion for leave to file.

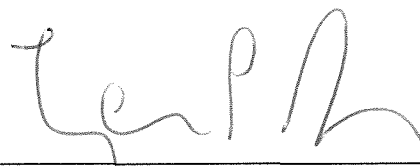
5. If the motion for leave to file is granted, Plaintiff shall submit the order as evidence that he has obtained the permission of the court for the filing.

6. No document submitted by Plaintiff shall be filed prior to obtaining leave to file unless the document is specifically identified as a motion for leave to file, and unless the document

contains an affidavit or sworn declaration as required by this memorandum order, and a copy of this memorandum order.

7. The Clerk's Office shall not accept any filing fees, cover sheets, applications for leave to proceed without prepayment of fees, summonses, or U.S. Marshals forms, in connection with a motion for leave to file, unless and until leave is granted.

8. Plaintiff is placed on notice that should leave be granted but the case is not properly venued in this district, the court will transfer the case to the proper venue without ruling on the merits of the case and without ruling on any motions, including motions for leave to *proceed in forma pauperis*.



HONORABLE LEONARD P. STARK
UNITED STATES DISTRICT JUDGE