

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NOLAN MCKENZIE,

Plaintiff,

v.

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
KANSAS, *et al.*,

Defendants.

Civil Action No. 13-458 (JEB)

MEMORANDUM OPINION

On April 9, 2013, *pro se* Plaintiff Nolan McKenzie filed a 60-page Complaint (with 77 additional pages of attachments) that named approximately 45 Defendants – many of them judges and courts in Kansas – and made no sense whatsoever. Although empowered to dismiss it straightaway, the Court, in a courtesy to Plaintiff, issued an Order that permitted him to file an amended complaint by June 11 that contained “a short and plain statement of the claim showing that the pleader is entitled to relief” under Fed. R. Civ. P. 8(a)(2). See ECF No. 2 at 2. The Court warned him that failure to comply would result in dismissal. Id. Plaintiff first responded by filing a document entitled “Plaintiff’s Reply to Memorandum, Opinion and Order,” see ECF No. 8, which, in typically opaque language, makes reference to his difficulty as a *pro se* Plaintiff. On June 14, Plaintiff filed his Amended Complaint, which is essentially the same document as his “Reply.” See ECF No. 10. This document is only two pages long, contains the single legal conclusion that “Plaintiff has sustained damages in excess of \$75,000,” id. at 1, and alleges neither a single legal claim against any Defendant nor a single fact in support. Dismissal is the Court’s only course.

Before doing so, the Court offers one observation: Perhaps Plaintiff has decided to venture into this jurisdiction because, as a vexatious litigant, he has been barred from filing without leave of Court in the District of Kansas. See McKenzie v. United Access, No. 12-2395, 2012 WL 5869897, at *5 (D. Kan. Nov. 19, 2012). As the District Court there explained, “A review of this history reveals a pattern of abusive, vexatious, unnecessary and threatening filings. While the sheer volume of Rev. McKenzie’s litigation is noteworthy, the Court is more troubled by the vexatious, harassing, and duplicative nature of his litigation.” Id. at *4.

Although the Court will dismiss this matter without prejudice, it cautions Plaintiff that this venue is no more hospitable to frivolous filings than is his home state. An Order of dismissal accompanies this Memorandum Opinion.

/s/ James E. Boasberg
JAMES E. BOASBERG
United States District Judge

Date: June 14, 2013