

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

2016 JUN 21 AM 10:59

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SO. DIST. OF GA.

DARYL DEWAYNE RIGGINS,	*	
	*	
Plaintiff,	*	
	*	CIVIL ACTION NO.
vs.	*	CV 315-085
	*	
FNU BAILEY, Nurse; S. EMMONS,	*	
Warden; JAMES MICHAEL SEWARD,	*	
M.D.; FNU STEVENSON, Nurse;	*	
FNU WALKER, Nurse; FNU HALL,	*	
Nurse; and FNU STRICKLAND,	*	
Counselor,	*	
	*	
Defendants.	*	

O R D E R

On December 28, 2015, this Court dismissed Plaintiff Daryl Dewayne Riggins' case brought pursuant to 42 U.S.C. § 1983 under the three-strikes provision of the Prison Litigation Reform Act ("PLRA"). (See Doc. Nos. 8 & 10.) On February 3, 2016, the Clerk received the following papers from Plaintiff for filing: (1) a motion to file a new civil complaint; (2) a motion for entry of default; (3) a motion to compel; and (4) an "Application(s) for a Certificate(s) of Riggins Probable Cause(s)."

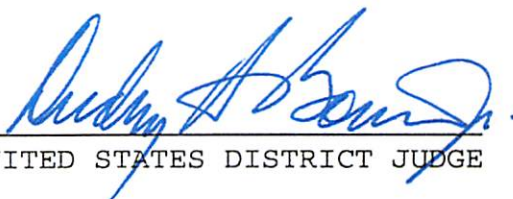
The motions for entry of default and to compel are premised on the false assumption that Plaintiff has a pending

civil case. He does not. This case was dismissed and closed on December 28, 2015. Because discovery did not take place in this case as the issues were never joined, and because Plaintiff is not entitled to the production of any documents in a closed case, his motion to compel (doc. no. 14) is DENIED. Further, because the Court dismissed the case, no defendant was required to answer or otherwise defend this lawsuit; Plaintiff's motion for entry of default (doc. no. 13) is therefore DENIED.

With respect to Plaintiff's desire to file a new civil complaint, the motion (doc. no. 12) is hereby DENIED AS MOOT. Plaintiff does not need the permission of this Court to file a new lawsuit; however, any new lawsuit will be subject to the same three-strike provision of the PLRA.

Finally, Plaintiff's "Application(s) for a Certificate(s) of Riggins Probable Cause(s)" appears to be a motion for an extension of time to file objections to the Report and Recommendation of December 4, 2016. This motion simply comes too late. Accordingly, the motion (doc. no. 15) is DENIED.

ORDER ENTERED at Augusta, Georgia, this 27th day of June, 2016.


UNITED STATES DISTRICT JUDGE