Order Form (01/2005)

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	11 C 3021	DATE	5/25/2011
CASE TITLE	Michael G Easter vs. Robert Gary, et al.		

DOCKET ENTRY TEXT

For the reasons stated below, the instant action is hereby dismissed and Plaintiff's motion for leave to proceed in forma pauperis [4] is denied as moot.

For further details see text below.

Docketing to mail notices.

STATEMENT

This matter is before the court on Plaintiff Michael Easter's (Easter) motion for leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(e)(2), "[n]otwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that . . . the action . . . fails to state a claim on which relief may be granted. . . . " *Id*. Easter filed a *pro se* complaint in the instant action alleging that there were proceedings in the "Domestic Relation Division" in Illinois state court in 2003, regarding the custody of Easter's minor children (Custody Proceedings). (Compl. 1-6); (Compl. Exbs). Easter also references subsequent attempts by him to reopen the Custody Proceedings in 2006. (Compl. 2). In addition, Easter makes references to a bankruptcy action which entailed a "bankruptcy stay" in 2010. (Compl. 2). Easter requests "a declaration relief from forceful opposition, including the determination of the construction, [sic] of the statute, a judgment or order with a [sic] injunction [sic] would terminate this controversy giving rise to the proceeding" (Compl. 9). Easter also argues that there was a "due process violation" by Defendant Robert Gary (Gary), who was apparently an appointed "standby guardian" in the Custody Proceedings. (Compl. 7). Easter also contends that Defendant Dana M. Thomas (Thomas), who was apparently a government attorney, was involved in the Custody Proceedings and, "by

STATEMENT