

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|--------------------------------|---|--------------------|
| MALGORZATA KUBIAK, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 14 C 6691 |
| |) | |
| LEIGH PETERSON, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM ORDER

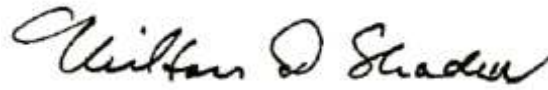
On September 17, 2014 this Court issued a memorandum opinion and order ("Opinion") that provided chapter and verse as to why the ill-considered pro se action by Malgorzata Kubiak ("Kubiak") failed to qualify for federal subject matter jurisdiction. That explanation was squarely based on Kubiak's attempted federal Complaint and the underlying state court lawsuit in which an over-\$100,000 judgment had been obtained against her by the client and lawyer whom she then sought to sue here.

This is the final sentence in the Opinion, which had denied Kubiak's In Forma Pauperis Application because of the legal frivolousness of her Complaint:

This Court will await word from Kubiak on or before September 26 as to whether she proposes to pay the filing fee and proceed with this case -- if she does not provide an affirmative answer to that question on or before that date, both her Complaint and this action will be dismissed (but without prejudice).

But what Kubiak has done instead is to move for an extension of time because she "has been severely harmed by the Defendants and wishes to proceed with this case if the Court will allow submission of an amended complaint by Kubiak." That speculative request just won't cut it -- Kubiak's request is no indication that she has read or understood the fatal flaws in her action in

federal jurisdictional terms. As forecast in the Opinion, both her Complaint and this action are dismissed -- but without prejudice to the possibility of her obtaining relief from or based upon the state court judgment in a state tribunal of competent jurisdiction.



Milton I. Shadur
Senior United States District Judge

Date: September 29, 2014