

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>JACK WADE WARREN, #13477-077,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 11-cv-149-JPG</b>
	)	
<b>UNITED STATES, FEDERAL BUREAU</b>	)	
<b>of PRISONS, <i>et al.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**GILBERT, District Judge:**

This matter comes before the Court in response to the purported “Surety Bond” filed by Plaintiff at Doc. 15. In this Court’s most recent order, Plaintiff was warned that if he continued to submit documents to the Court in which he accuses any Judge of criminal conduct, making false statements, willfully refusing to perform the duties of his office, or in which he otherwise impugns the integrity of the judicial process, he would face sanctions (Doc. 14).

After receiving this warning, rather than desist from such filings, Plaintiff filed a “Certification of Default/Surety Bond” (Doc. 15). In it, he repeats his claims that the undersigned Judge has violated the law by his “willful and intentional refusal to enjoin [Defendant] United States, Federal Bureau of Prisons, et al, from infliction of injury upon [Plaintiff], in an on-going criminal scheme . . . .” (Doc. 15, p. 1). He goes on to assert that the undersigned Judge:

was ordered on 6/13/2011 [in Doc. 13 filed by Plaintiff] to Show Cause why the pledge, i.e., (Official United States Oath of Office of J. PHIL GILBERT, and the underlying Performance Bonds) should not issue for deposit within the United

States Treasury . . . for violation(s) of Title 26 USCS §7214.(s)(3) . . . . Judge J. PHIL GILBERT . . . overtly ignored his duty . . . to uphold the Internal Revenue Laws . . . . (Doc. 15, p. 2)

J. PHIL GILBERT, elected to set aside and disregard his duties to protect the Taxpayer [Plaintiff] from the crimes reported, and uphold the laws established with the Internal Revenue Code . . . .

(Doc. 15, p.3). Finally, he attaches a “Surety Bond” claiming to be based on “an agreement as outlined in detail herein, which pledged the Official Oath of Office of J. PHIL GILBERT, as the Eligible Obligation which underwrites this bond in the amount of; \$100,000,000.00. (Doc. 15, p. 4).

Not only do the contents of Plaintiff’s documents referenced above run afoul of this Court’s order to refrain from maligning the Judge or the judicial process, he is advised that his conduct may be in violation of 18 U.S.C. § 1521, which prohibits the filing of “any false lien or encumbrance” against a Federal Judge. Plaintiff has been warned against filing further harassing and vexatious pleadings, yet has persisted in this practice. It is evident that Plaintiff refuses to comply with reasonable expectations of respect for the judicial process and judicial authority.

Accordingly, the Court finds that sanctions are necessary, and the dismissal of this action with prejudice is an appropriate sanction, as it appears there is no other way to ensure that Plaintiff will not continue his abusive filings in this case. *See* FED. R. CIV. P. 11(b)(1), (c)(1); FED. R. CIV. P. 41(b); *Kelly v. Null*, Civil Nos. 07-339-GPM, 08-322-GPM, 2009 WL 4065040, at \*2-4 (S.D. Ill. Nov. 23, 2009); *Washington v. Alaimo*, 934 F. Supp. 1395 (S.D. Ga. 1996).

**IT IS HEREBY ORDERED** that this action is dismissed **WITH PREJUDICE**. The

Clerk is DIRECTED to close this case and enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED: November 2, 2011**

*s/J. Phil Gilbert*  
\_\_\_\_\_  
**United States District Judge**