

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

CAROLYN HERZ SRIVASTAVA,)	
)	
Plaintiff,)	
vs.)	Case No. 1:13-cv-890-TWP-DKL
)	
UNITED STATES OF AMERICA, et al.)	
)	
Defendants.)	

Entry and Order Dismissing Action

I.

This matter is before the Court for determination of whether Plaintiff Carolyn Herz Srivastava remains a restricted filer in the federal courts within the Seventh Circuit. On June 3, 2013, this action was removed from the Vanderburgh Circuit Court, where it had been docketed as No. 82C01-1305-CT-268. On June 11, 2013, this Court issued an Entry noting that Carolyn Herz Srivastava is a restricted filer in the Seventh Circuit based on the Order of the Court of Appeals issued on August 30, 2011, in case No. 11-2817, and on the Amended Injunction issued in No. IP 04-mc-104-SEB-DML. *See In re: Srivastava*, 2011 U.S. Dist. LEXIS 84121 (S.D.Ind. July 29, 2011). Carolyn Herz Srivastava was notified of these restrictions and was given a period of time in which to demonstrate that those restrictions are either no longer in effect or would not prevent her from prosecuting this case. She responded with her filing of June 28, 2013, (Dkt.18) which has been considered.

In her response, Plaintiff asserts that the orders referenced above do not apply to her and that they are invalid. The Court specifically finds the contrary to be the case and Plaintiff has not shown that she is no longer prohibited from filing papers in this action. Because the district

court must abide by the orders of the Seventh Circuit in case No. 11-2817, Plaintiff is unable to proceed with this action.

II.

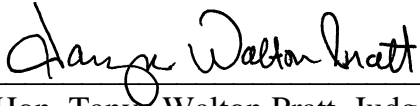
The action is therefore **dismissed for failure to prosecute**. The dismissal is with prejudice. Judgment consistent with this Entry shall now issue.

III.

The plaintiff is reminded that there is no exception in the *Order* of August 30, 2011, in case No. 11-2817 for post-judgment filings or for appeals. The *Order* in case No. 11-2817 specifically forbids this Court from accepting documents submitted for filing by or on behalf of the Plaintiff, therefore additional filings in this action will not be accepted by the clerk of this court.

IT IS SO ORDERED.

Date: 07/09/2013



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

Electronically Registered Counsel

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