

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

QUINCY GERALD KEELER,  
Plaintiff,

vs.

Case No. 10-1129-JTM

Case No. 10-1358-JTM

ARAMARK HEALTHCARE SUPPORT SERVICES,  
LLC,

Defendant.

MEMORANDUM AND ORDER

This matter is before the court on *pro se* plaintiff Quincy Keeler's third motion for reconsideration. The court has previously denied *in forma pauperis* status, finding that the present actions were filed vexatiously. (Dkt. No. 20, at 6). The court further stated, in its Order of February 24, 2011, that these actions would be dismissed "unless the plaintiff files the appropriate filing fee for each respective case within twenty days of the present Order." (*Id.* at 6). Following his second motion for reconsideration, and in light of his failure to pay any filing fee, the court dismissed these actions and entered judgment for defendant Aramark on July 8, 2011. (Dkt. No. 24). In his latest motion, Keeler has failed to supply any additional reason for the relief sought, and his motion is accordingly denied for reasons stated in the court's prior Orders. (Dkt. No. 20, 24).

In its Order of September 3, 2010, the court also held that Keeler was enjoined "from filing any additional Complaints in this court with allegations which are similar to his other pending

actions.” (Dkt. No. 16, at 4). Such complaints would be permitted only to the extent that the presented claims “are not substantially similar to existing litigation.” (*Id.*) Accordingly, the Clerk of the Court has forwarded to the undersigned a copy of an Employment Discrimination Complaint which Keeler now proposes to file against Aramark.

The court has reviewed the proposed Complaint. Unlike his other complaints, which involved claims of harassment during his employment by Aramark, Keeler now cites only discrimination occurring on January 20 and 27 of 2011. (Proposed Complaint, at ¶ 2). Although he advances 25 claims — many largely redundant in nature — in the Complaint, all are tied to his January 27, 2011 termination by Aramark. The Complaint alleges no fact earlier than a December 20, 2010 recorded interview with the plaintiff, which appears to have set in motion his ultimate dismissal. The court finds that the proposed Complaint raises issues not advanced previously in Keeler’s other lawsuits. Further, Keeler specifically represents that “This is the last and final KEELER VS. ARAMARK case.” (*Id.* at 5).

The court hereby directs the Clerk to file the Proposed Complaint as a new action, and that the plaintiff is given leave to proceed *in forma pauperis*.

The injunction previously entered by the court remains in effect. The plaintiff shall make no attempt to amend the Complaint in the new action without prior approval of the court.

IT IS ACCORDINGLY ORDERED this 29<sup>th</sup> day of November, 2011 that plaintiff’s Motion to Reconsider (Dkt. 26) is hereby denied.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE