

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

EDWARD H. FLINT

PLAINTIFF

v.

CIVIL ACTION NO. 3:10CV-597-S

HEWLETT-PACKARD COMPANY

DEFENDANT

MEMORANDUM OPINION AND ORDER

In light of the fact that this court's earlier memorandum opinion and accompanying order of dismissal will be withdrawn and re-entered this date, the court believes it is appropriate to address plaintiff's motions for recusal, which have been filed on a number of occasions.

The plaintiff grounds the recusal motions on the fact that he sued the undersigned in a separate action (Civil Action No. 3:11CV-275-C, *Edward H. Flint v. Judge Charles R. Simpson III*). However, that case, having been filed on May 9, 2011, was dismissed by Judge Coffman on May 11, 2011. While Judge Coffman's dismissal of that action has been appealed to the United States Court of Appeals for the Sixth Circuit, the underlying action is no longer pending in this court.

Further, the plaintiff contends that this court is biased against him. There is no basis in law or in fact to that allegation. The fact that this court has not ruled in the plaintiff's favor does not alone demonstrate bias. Mr. Flint has filed many, many lawsuits in this court, and has filed suits against nearly all the District Judges in the Western District of Kentucky. He has even self-published a book regarding one of his other litigations and the Judge who presided over it. It is obvious that he is attempting in this instance to manipulate the court's blind case assignment

procedures in order to obtain assignment of this action to a judge of his choice. Such machinations cannot be permitted.

Accordingly, the plaintiff's motion for recusal is **DENIED**.

IT IS SO ORDERED this **December 8, 2011**

A handwritten signature in black ink is written over the official seal of the United States District Court. The seal is circular and features an eagle with wings spread, perched on a shield. The text "UNITED STATES DISTRICT COURT" is visible around the perimeter of the seal.

**Charles R. Simpson III, Judge
United States District Court**

cc: Edward H. Flint, *pro se*
Counsel of Record