

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

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| CAROL MURPHY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Docket no. 1:15-cv-00020-GZS |
| |) | |
| CASAVANT, et al., |) | |
| |) | |
| |) | |
| Defendants. |) | |

ORDER ON ALL PENDING MOTIONS

Before the Court are a series of motions by Plaintiff Carol Murphy including her Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 2), Application to Proceed *In Forma Pauperis* (ECF No. 3), and Motion for Removal of Case to District of Columbia and for Common Law Trial and Common Law Jury (ECF No. 7). For the reasons briefly stated below, all of these Motions are DENIED.

Ms. Murphy filed her Complaint in the District Court in the District of Columbia on December 22, 2014. (See Civil Cover Sheet (ECF No. 1-1).) Her Amended Complaint (ECF No. 4) was filed the same day. The case was transferred to the District of Maine on January 14, 2015.

This is not Ms. Murphy's first case or appearance in the District of Maine. Rather, Ms. Murphy has filed at least seven prior cases, each involving a longstanding dispute between herself and state and municipal officials regarding her treatment of animals. (See In re Carol Murphy, Docket No. 1:09-MC-00033-JAW, February 18, 2009 Order at 1.) This Court has deemed each of her prior lawsuits "frivolous, prolix and contentious nonsense." (Id. at 2.) Accordingly, on February 18, 2009, this Court ordered:

[B]efore any lawsuits by Carol Murphy or Carol Ann Murphy now or formerly of New Sharon, Maine may be docketed in this Court, the Clerk is directed to bring the lawsuit to this Judge's attention. If the lawsuit involves, directly or indirectly, any dispute between Ms. Murphy and state or municipal official within the state of Maine concerning animals, the Court hereby ENJOINS Ms. Murphy [from] any similar future filings without prior leave of this Court.

(Id. at 6.) Ms. Murphy acknowledges that she has been so enjoined in the Amended Complaint presently before the Court. (Am. Compl. (ECF No. 4) ¶ 14.)

Through the ninety-two page Amended Complaint, Ms. Murphy attempts to bring a case against various state and federal officials related to the State of Maine and Maine Animal Control's seizure of her personal property, including animals, and her attempts to retrieve that property. The Amended Complaint asserts that on October 1, 2014, approximately twenty-five workers from animal control arrived at Ms. Murphy's property, handcuffed her¹ and took her personal property without a valid warrant. (Am. Compl. ¶¶ 19-20.) Thereafter, the Amended Complaint alleges that Ms. Murphy pursued various avenues to seek redress of the events that occurred on October 1, 2014, including entering a special appearance at the Franklin County Courthouse on October 8, 2014 and contacting the Maine Department of Public Safety. (Id. ¶¶ 23, 26.) The Amended Complaint also discusses Ms. Murphy's prior lawsuits and facts underlying those suits (id. ¶¶ 31-70), which formed the basis for the Court's prior Order enjoining Ms. Murphy from future filings. For relief, the Amended Complaint seeks damages in excess of ten million dollars, costs related to the suit, the return of her animals, and that the Court request that the Federal Bureau of Investigation examine the conduct alleged in the Complaint. (Id. ¶ 71.)

The Amended Complaint and this lawsuit fall within the Court's prior Order enjoining Ms. Murphy from filing further lawsuits. Accordingly, Ms. Murphy is ENJOINED from proceeding

¹ Notably, the Complaint alleges that on a prior occasion, when the state police approached Ms. Murphy on her property, she threatened to kill the police officer and attempted to taser him. (Id. ¶¶ 44-45.)

with this lawsuit in accordance with the Court's prior Order. Her Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 2), Application to Proceed *In Forma Pauperis* (ECF No. 3), and Motion for Removal of Case to District of Columbia and for Common Law Trial and Common Law Jury (ECF No. 7) are all DENIED, and the Clerk is directed to DISMISS this action.² Additionally, the Court certifies that any appeal from this Order would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3).

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 5th day of February, 2015.

² Alternatively, the Court notes that were this action not barred based on the prior orders entered in the District of Maine, the Court would determine that the Amended Complaint must be dismissed in accordance with 28 U.S.C. § 1915(e)(2) because the Amended Complaint, like her prior lawsuits, is "frivolous, prolix and contentious nonsense." In re Carol Murphy, Docket No. 1:09-MC-00033-JAW, February 18, 2009 Order at 2.