

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

KRISTINA HERBERT,)
)
Plaintiff)
)
v.) 1:25-cv-0025-LEW
)
CHCS et al.,)
)
Defendants)

**ORDER AFFIRMING RECOMMENDED DECISION
AND ENJOINING THE FILING OF FURTHER COMPLAINTS BY
KRISTINA HERBERT WITHOUT ADVANCE JUDICIAL AUTHORIZATION**

On January 27, 2025, United States Magistrate Judge John C. Nivison filed with the court, with copies to the Plaintiff, his Recommended Decision (ECF No. 5) on Plaintiff's Complaint (ECF No. 1). In it, he recommends the dismissal of this case pursuant to 28 U.S.C. § 1915 and the imposition of a filing restriction based on prior warnings and repeated frivolous filings. The time within which to file objections expired on February 10, 2025, and no objection was filed. The Magistrate Judge notified the Plaintiff that failure to object would waive her right to *de novo* review and appeal.

I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED and ADOPTED (ECF No. 5). The case is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B).

I have previously warned the Plaintiff that filing restrictions may be enforced, *see Herbert v. Meghar*, No. 1:21-cv-346-LEW, and again cautioned Plaintiff “that the filing of a third groundless action in this Court will result in a filing restriction,” *see Herbert v. Uniship Banking*, No. 1:23-cv-418-LEW. A *Cok* order¹ is issued against Kristina Herbert to bar proceedings on any future cases without advance permission. The Clerk of Court is directed to refuse to file or docket, without a prior order of this Court, any pleadings or papers submitted by or on behalf of Kristina Herbert. All new pleadings or papers submitted by Kristina Herbert that would ordinarily result in the opening of a case on the docket will henceforth be referred to a judge of this Court, and unless the judge first determines that the pleadings or papers state a plausible cause of action they will not be docketed and will be returned to Ms. Herbert. This *Cok* order does not apply to filings made in any matters currently docketed and pending in this Court. If Kristina Herbert wishes to appeal this order, she shall file a paper notice of appeal with the Clerk’s Office within the time allowed by the Federal Rules of Appellate Procedure.

SO ORDERED.

Dated this 12th day of March, 2025.

/s/ Lance E. Walker
Chief U.S. District Judge

¹ *See Cok v. Family Court of Rhode Island*, 985 F.2d 32, 35 (1st Cir.1993).