

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 12-11388-RWZ

PAULA J. KARAS

v.

WHOLE FOODS INC.

MEMORANDUM AND ORDER

February 20, 2013

ZOBEL, D.J.

Plaintiff Paula Karas (“Karas”), a resident of Milford, Massachusetts, has been found to be a vexatious litigant. See Karas v. Dep’t of Commerce Div. of Ins., C.A. No. 12-10365-FDS (Saylor, J.) (Mar. 7, 2012 Order), Docket No. 4. The March 7th Order noted that Karas had previously filed twenty-two (22) legally-deficient lawsuits in the District of Massachusetts. Id. As a result, she has been enjoined from filing civil actions in this Court without first obtaining permission from a judicial officer. Id.

On July 24, 2012, Karas filed a complaint in the United States District Court for the Northern District of Texas. See Karas v. Whole Foods, Inc., C.A. No. 12-cv-2489-G-BH (Jul. 14, 2012, filed). Plaintiff alleged that a grocery store located in Bellingham, Massachusetts, violated her constitutional rights by selling her adulterated food. Id. Plaintiff filed the action in Texas alleging that the grocery store headquarters are located in Texas. Id. By Order dated July 30, 2012, the action was transferred from the Northern District of Texas to the District of Massachusetts. Id. (07/30/12 Transfer Order, Docket No. 8). With her complaint, plaintiff filed a motion for leave to proceed in forma pauperis and a motion for speedy trial.

Because this action was transferred from the Northern District of Texas, Karas was not provided with an opportunity to comply with the directives contained in the March 7, 2012 Memorandum and Order. See 03/07/12 Memorandum and Order, Docket No. 4, C.A. No. 12-10365-FDS. However, it is evident to this Court that the complaint contains the same deficiencies as did several of Karas' earlier actions. See Karas v. Hood, Inc., C.A. No. 11-40016-FDS (alleging adulterated milk); Karas v. Dunkin' Donuts, C.A. No. 10-40236-FDS (alleging adulterated coffee); Karas v. Honey Dew Donuts, C.A. No. 10-40237-FDS (alleging adulterated coffee). The factual allegations in the instant complaint are insufficient to establish a valid legal claim and the complaint is subject to dismissal in its entirety.

In light of the above, and in accordance with Judge Saylor's Order enjoining Karas, this action is hereby DISMISSED. In view of this ruling, Karas' pending motions are denied as moot.

ORDER

Based on the foregoing, it is hereby Ordered that:

1. Plaintiff's Motion (#4) for Leave to Proceed in forma pauperis DENIED as moot;
2. Plaintiff's Motion (#6) for a Speedy Trial is DENIED as moot; and
3. This action is DISMISSED in its entirety.

SO ORDERED.

SO ORDERED.

/s/ Rya W. Zobel
UNITED STATES DISTRICT JUDGE