

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRELL L. MARSHALL,

Plaintiff,

vs.

Case No. 00-CV-74576
HON. GEORGE CARAM STEEH

CITY OF DETROIT, and
WAYNE COUNTY,

Defendants.

_____ /

ORDER GRANTING MOTION TO SUPPLEMENT [DOC. 93]
AND DENYING MOTION TO VACATE JUDGMENT [DOC. 91]

This matter is before the court on plaintiff Darrell Marshall's motion to vacate judgment and to supplement the same motion to vacate judgment. Plaintiff's motion to vacate judgment seeks to vacate the court's order dated June 9, 2016 which denied plaintiff's motion to stay judgment. In turn, plaintiff's motion to stay judgment sought to have the court vacate its long-standing restraining order dated November 21, 2000, which enjoined plaintiff from filing any new lawsuits in the United States District Court for the Eastern District of Michigan without first obtaining leave of this court. The purpose of the court's restraining order was to prevent plaintiff from abusing the judicial process by filing further lawsuits relating to the same

underlying incident.

The November 21, 2000 order enjoining plaintiff from filing further lawsuits without leave of court set forth a specific procedure to be followed by plaintiff if he desired to file a new action in this court. One of the steps plaintiff has been directed to take in order to receive leave to file a new action, is to show that the claim he wishes to present is a new issue which has not previously been raised in a legal action. Plaintiff did not abide by the terms of the November 21, 2000 order in June of 2016, and he has not abided by those terms since the court denied his request. Simply put, plaintiff does not have a case currently pending before the court, which was the basis of the court's holding in denying plaintiff's motion to stay.

Plaintiff has failed to show any basis on which the court's order denying motion for stay of judgment should be vacated. Now, therefore,

IT IS HEREBY ORDERED that plaintiff's motion to supplement is GRANTED.

IT IS HEREBY FURTHER ORDERED that plaintiff's motion to vacate judgment is DENIED.

Dated: February 8, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on February 8, 2017, by electronic and/or ordinary mail and also on Darrell Marshall, 15794 Steel Street, Detroit, MI 48227.

s/Barbara Radke
Deputy Clerk