

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SCHAARON MARTIN,

Plaintiff,

v.

ORDER

Criminal File No. 14-8 (MJD/SER)

STATE OF MINNESOTA, and
CITY OF MINNEAPOLIS,

Defendants.

Schaaron Martin, pro se.

Defendants have not yet answered.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Steven E. Rau, dated May 30, 2014 [Docket No. 22]. No objections have been filed to that Report and Recommendation in the time period permitted.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Rau dated May 30, 2014.

Courts hold pro se pleadings like Plaintiff's to a less stringent standard than those drafted by lawyers, and all documents filed pro se must be liberally construed. See Haines v. Kerner, 404 U.S. 519, 520-21 (1972); Estelle v. Gamble, 429 U.S. 97, 106 (1976). Nevertheless, "pro se litigants are not excused from complying with substantive and procedural law," and they must comply with court orders. Senter v. Ross, Civil No. 06-2707, 2007 WL 2362515, at *4 (D. Minn. Aug. 15, 2007) (internal quotation marks omitted) (quoting Brown v. Frey, 806 F.2d 801, 804 (8th Cir. 1986)).

The Court has the inherent authority to sanction a party acting "in bad faith, vexatiously, wantonly, or for oppressive reasons." Chambers v. NASCO, Inc., 501 U.S. 32, 33 (1991); see Harlan v. Lewis, 982 F.2d 1255, 1259 (8th Cir. 1993). Possible sanctions include, but are not limited to, imposition of monetary fines, dismissal of actions, and "other sanctions appropriate for conduct which abuses the judicial process." Harlan, 982 F.2d at 1259 (citing Chambers, 501 U.S. at 44-45) (internal quotation marks omitted).

Over the course of this matter, Plaintiff has called the chambers of this Court numerous times and has sent many unsolicited email messages to the Court and to several attorneys. In its May 12, 2014 Order, the Court found

Plaintiff's contact with the Court in this manner to be impermissible, and the Court instructed Plaintiff to cease this practice, and has informed her of the proper means for filing and expressing her legal arguments to the Court and the parties to this action. (See Order, Docket No. 18.) The Court also warned Plaintiff that failure to comply with the Order could result in a range of sanctions. Plaintiff, however, has failed to comply. Therefore, the present Order constitutes Plaintiff's second notice that, should she continue to communicate with the Court in such an impermissible manner, her actions may result in imposition of the sanctions described above and in the May 12, 2014 Order.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Steven E. Rau dated May 30, 2014 [Docket No. 22];
2. Defendant's Motion to Proceed In Forma Pauperis [Docket No. 2] is **DENIED**; and
3. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 2, 2014

s/Michael J. Davis _____
Michael J. Davis
Chief Judge
United States District Court