

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SAMAR AKINS,)	
)	
Plaintiff,)	4:15CV3057
)	
v.)	
)	
MAYOR CHRIS BEUTLER,)	MEMORANDUM AND ORDER
LINCOLN POLICE CHIEF)	
PESCHONG, OFFICER D. NELSON,)	
OFFICER BERGLAND, OFFICER)	
MCANDREXI, SEVERAL UNNAMED)	
OFFICERS, and INTERNAL AFFAIRS))	
SGT. DILSZVEN,)	
)	
Defendants.)	
_____)	

Plaintiff Samar Akins filed his complaint (Filing No. [1](#)) in this case on May 28, 2015. He generally alleges the City of Lincoln and various municipal officers conspired to violate his constitutional rights. Akins has filed numerous actions in this Court since January of 2014 alleging constitutional violations by governmental entities or officers.¹ Here, the

¹See, e.g., Case Nos. 4:14CV03026-JMG-PRSE; 4:14CV03034-RGK-PRSE; 4:14CV03061-RGK-PRSE; 4:14CV03081-RGK-PRSE; 4:14CV03092-JFB-PRSE; 4:14CV03150-JMG-PRSE; 4:14CV03151-RGK-PRSE; 4:14CV03153-RGK-PRSE; 4:14CV03204-JMG-PRSE; 4:14CV03216-RGK-PRSE; 4:14CV03217-JFB-PRSE; 4:14CV03218-LSC-PRSE; 4:14CV03234-JFB-PRSE; 4:14CV03235-JMG-PRSE; 4:14CV03236-RGK-PRSE; 4:15CV03006-JMG-PRSE; 4:15CV03007-JMG-PRSE; 4:15CV03057-LES-PRSE; and 4:15CV03059-JFB-PRSE.

Court will dismiss the complaint because, in filing this action, Akins failed to comply with the filing restrictions imposed on him in this district on January 14, 2015. (See Case No. 4:14CV03218-LSC-PRSE, Filing No. 9.)

On January 14, 2015, the Chief United States District Judge for the District of Nebraska imposed the following filing restrictions:

1. Akins will be limited to filing one case in forma pauperis in the federal district court for the District of Nebraska per month.
2. Akins will be enjoined from filing any lawsuit in the federal district court for the District of Nebraska unless he: attaches a copy of this order to his complaint, and he attaches an affirmation, signed by him, of the date of his most recent prior filing of a new case in this district.

(Case No. 4:14CV3218-LSC-PRSE, Filing No. 9 at CM/ECF p. 1.)

These filing restrictions do not prohibit Akins from proceeding as a proponent in any civil claim in this district with the representation of an attorney. In addition, these restrictions do not prohibit Akins from defending himself in any criminal or civil litigation brought against him in this district. (See *id.*)

In this matter, Akins did not attach a copy of the order imposing the filing restrictions, and he did not set forth the date of his most recent prior filing of a new case in this district. Rather, in an affirmation he submitted with his complaint, he attested he had not filed a civil lawsuit in the last 30 days, but also stated, "I do not have a copy of the judge[']s order, it is an unnecessary burden on me anyway [and] I don't remember when I filed my last lawsuit." (Filing No. [3](#) at CM/ECF p. 1.)

Akins has a practice of filing cases that fail to state a claim upon which relief may be granted. Indeed, it does not appear that any of the 20 or so cases Akins has filed in the last year have survived initial review. In this case, Akins did not comply with the filing restrictions imposed on him in this district. These restrictions have been imposed to protect the Court from abuses of the Court's resources, and Akins will be required to abide by them. Accordingly, this matter is dismissed without prejudice because Akins failed to comply with the filing restrictions imposed on him in this district on January 14, 2015.

A separate judgment will be entered in accordance with this order.

DATED this 8th day of June, 2015.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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