

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BILLIE JOE CHAPMAN,	)	8:12CV370
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
TRAVIS JARZYNKА, et al.,	)	
	)	
Defendants.	)	

This matter is before me on Plaintiff’s Motion to Clarify. (Filing [103](#).) Defendants have filed a Response to Plaintiff’s Motion. (Filing [105](#).) In the Response, Defendants argue that “[c]onsistent with his repetitive filings” Plaintiff’s Motion seeks clarification with regard to his arrest, appointment of an attorney to assist in his lawsuit, and a request for discovery. (*Id.* at CM/ECF pp. 1-2.) Defendants assert that these matters have all been addressed by the court in multiple Orders and need not be disturbed. (*Id.*) I agree with Defendants.

Plaintiff has history of filing repetitive and meritless motions in this matter. (*See, e.g.*, Filings [90](#), [91](#), [92](#), and [99](#).) Indeed, in my last Memorandum and Order, I warned Plaintiff that if he continued to file meritless motions, he could be subject to sanctions, including, but not limited to, dismissal of this matter or being enjoined from filing any further pleadings, motions, or other items in this matter without prior authorization from this court. (Filing [100](#).) Thereafter, Plaintiff filed a Motion for a Hearing on the Motions that I denied (filing [101](#)), which Magistrate Judge Zwart denied (filing [102](#)). A week later, Plaintiff filed his Motion to Clarify. (Filing [103](#).)

Although I decline to sanction Plaintiff at this time, I will remind him to carefully read and follow the court’s orders in this matter. *See* [Settlemire v. Watson](#), [877 F.2d 13, 14 \(8th Cir. 1989\)](#) (per curiam) (concluding any party proceeding pro se is expected to be familiar with and follow procedural rules); [Brown v. Frey](#), [806 F.2d](#)

[801, 803 \(8th Cir. 1986\)](#) (court may dismiss action for pro se litigant's failure to comply with any court order).

IT IS THEREFORE ORDERED that:

1. Plaintiff is reminded to carefully read and follow the court's orders in this matter.
2. Plaintiff's Motion to Clarify (filing [103](#)) is denied.

DATED this 8<sup>th</sup> day of January, 2015.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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