

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELVIN GENAO,

Plaintiff,

-against-

POLICE SERVICE AREA 6; FEDERAL
BUREAU OF INVESTIGATIONS,

Defendants.

1:20-CV-9886 (LLS)

ORDER

LOUIS L. STANTON, United States District Judge:

Because of Plaintiff's history of filing numerous civil actions in this court that were dismissed for failure to state a claim on which relief may be granted or for failure to either pay the relevant fees or seek *in forma pauperis* ("IFP") status, in an order dated June 5, 2019, Chief Judge Colleen McMahon barred Plaintiff from filing any new civil action in this court IFP without first obtaining leave to file. *See Genao v. Saint Pauls Church*, ECF 1:19-CV-2704, 6 (S.D.N.Y. June 5, 2019). Under that order, to obtain leave to file a civil action in this court IFP, Plaintiff must file an "Application Pursuant to Court Order Seeking Leave to File" ("leave application") and attach copies of his proposed complaint and the June 5, 2019 order. *Id.*

Plaintiff filed this action, in which he seeks leave to proceed IFP, on July 21, 2020, in the United States District Court for the District of Connecticut. By order dated July 24, 2020, the District of Connecticut transferred this action to this court. *Genao v. Police Serv. Area 6*, 3:20-CV-1017 (D. Conn. July 24, 2020). This court did not receive the action, however, until November 24, 2020.

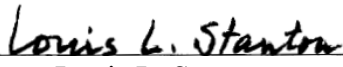
In his complaint, Plaintiff sues “Police Service Area 6” and the Federal Bureau of Investigation.¹ Plaintiff alleges, among many other things, that in 2017, members of the New York City Police Department illegally entered his Manhattan apartment.

Plaintiff has not filed a leave application with his complaint and IFP application. Normally, the Court would therefore deny Plaintiff leave to file. But because Plaintiff originally filed this action in another federal district court, the Court grants Plaintiff 30 days from the date of this order to file a leave application. If Plaintiff fails to file a leave application within the time allowed, the Court will deny Plaintiff leave to file this action and dismiss this action without prejudice.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: January 6, 2021
New York, New York



Louis L. Stanton
U.S.D.J.

¹ Under Rule 5.2(a)(3) of the Federal Rules of Civil Procedure, court submissions that refer to a minor child are limited to using the child’s initials when making a reference to the child’s name. In his complaint and IFP application, however, Plaintiff mentions the full name of a minor child. The Court has therefore directed the Clerk of Court to limit electronic access to the complaint and IFP application to a “case-participant only” basis.