

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RITA J. CINDRICH  
Plaintiff,

-vs-

MICHAEL FISHER, et al  
Defendant.

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Civil Action No. 5-1348

AMBROSE, Senior District Judge.

**MEMORANDUM ORDER OF COURT**

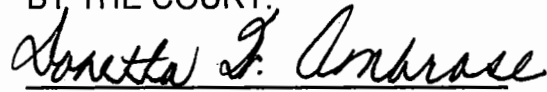
This case originated by Complaint filed on September 28, 2005. (ECF No. 1). On December 19, 2005, Plaintiff filed an Amended Complaint. (ECF No. 2). A Motion to Dismiss the Amended Complaint was granted in part and denied in part on April 10, 2006. (ECF No. 18). Plaintiff's Motion to File a Second Amended Complaint was granted and on May 26, 2006, Plaintiff filed her Second Amended Complaint. (ECF No. 28). On May 31, 2007, this Court entered an order granting in part and denying in part Defendants' Motion for Summary Judgment and dismissing the case. (ECF No. 51). Thereafter, on June 29, 2007, Plaintiff filed a Notice of Appeal. (ECF No. 52). On August 4, 2009, The United States Court of Appeals for the Third Circuit issued a Judgment affirming the May 31, 2007 order dismissing the case. Accordingly, this case has been closed in the District Court since May 31, 2007.

On May 30, 2017, ten years later, Plaintiff filed a document titled "Amended Complaint" at this case number. (ECF No. 57). This Court issued an order striking the filing, noting that this matter was fully adjudicated to its finality ten years earlier. (ECF

No. 58). On October 13, 2017, Plaintiff has again filed a document titled "Third Amended Complaint" at this case number. (ECF No. 59) As previously stated, this matter was fully adjudicated to its finality. Consequently, the newly filed "Third Amended Complaint" is improperly filed and shall be stricken.

THEREFORE, this 16<sup>th</sup> day of October, 2017, it is ORDERED, that said Third Amended Complaint (ECF No. 59) is stricken from the docket as improperly filed.

BY THE COURT:



Donetta W. Ambrose  
Donetta W. Ambrose  
United States Senior District Judge