

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

M.R. MIKKILINENI,

Plaintiff(s),

09cv1026

ELECTRONICALLY FILED

v.

GIBSON-THOMAS ENGINEERING
COMPANY, ET AL.,

Defendant(s).

ORDER OF COURT

This case originated in the United States District Court for the District of Columbia wherein the plaintiff, M.R. Mikkilineni, filed an application to proceed *in forma pauperis* and a *pro se* complaint. Plaintiff's complaint raises the same claims he has previously raised and re-raised, unsuccessfully, in this Court and in an action in the Westmoreland County Court of Common Pleas, Pennsylvania, at No. 6137 of 2001. See *Mikkilineni v. Gibson-Thomas Eng. Co.*, No. 04-cv-0491, 2009 WL 1598407, at *1 (W.D. Pa. June 5, 2009) ("This Court will not permit plaintiff to circumvent this Court's directives by this flagrant maneuver."). Chief District Judge Royce C. Lamberth for the District of Columbia granted plaintiff leave to proceed *in forma pauperis* and transferred this action, *sua sponte*, to the United States District Court for the Western District of Pennsylvania, stating, *inter alia*, as follows: "Of particular importance is the likelihood that plaintiff opted to file this action in this district for the express purpose of avoiding the consequences of Judge Schwab's injunction order." See Transfer Order, (Doc. No. 5).

Inasmuch as the caption of the complaint filed in that Court erroneously designated the court of filing as the United States District Court for the Western District of Pennsylvania, and the contents of the complaint mirror those of his previously filed complaint in this Court, District

Judge Royce Lambert's observation is quite accurate. As before, Mr. Mikkilineni's attempted end-run to the District of Columbia is a blatant attempt to circumvent this Court's prior order that the Clerk of Court "not accept any pro se complaint or other initial pleading from this plaintiff which names any of the defendants named [in that action] as defendants or which is related in any way with [plaintiff's] now defunct engineering company" without first obtaining leave of Court. *Mikkilineni*, 2009 WL 1598407, at * 1. Accordingly,

Plaintiff's "Motion to Assign this Case for a Fair Hearing before a Judge other than the biased Mr. Schwab" (Doc. No. 8) is DENIED.

IT IS FURTHER ORDERED that plaintiff's complaint at Civil Action No. 09-1026 is DISMISSED *sua sponte*.

The Clerk of Court shall mark this case closed.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

M.R. Mikkilineni
P. O. Box 32110
Washington, DC 20007
Pro Se Plaintiff