

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

DIEGO VELASQUEZ,)
Plaintiff,)
)
v.)
)
JUAN MORALES; DANIEL RIVERA;)
XAVIER PEREZ; and DIEGO)
SANCHEZ,)
Defendant.)

)

C.A. No. 22-457-JJM-PAS

ORDER

Diego Velasquez sued his three neighbors seeking a no-contact order and an eviction. The magistrate judge issued a Report and Recommendation, recommending that the Court dismiss this case because this Court does not have subject-matter jurisdiction—meaning this Court has no authority to hear and no power to act on Mr. Velasquez's case. This Court agrees and adopts the Report and Recommendation. ECF No. 3. Mr. Velasquez's issues are based on state law—specifically R.I. General Laws § 34-18 et seq.—and therefore he needs to seek redress by filing his complaint state court.

Thus, the Court dismisses this case without prejudice under 28 U.S.C. § 1915(e)(2)(B) and denies his *in forma pauperis* motion as moot. Furthermore, the Court cautions Plaintiff that his pattern of filing frivolous complaints—this is his seventh filing here in the last year—puts him at risk such that if he files another

frivolous complaint, the Court will enjoin him from initiating any new civil action, except with the prior approval of the Chief Judge of this District.

IT IS SO ORDERED.



John J. McConnell, Jr.
Chief United States District Judge

January 18, 2023