

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

GREGORY ALLEN)	Civ. 11-4106-KES
LEWANDOWSKI,)	
)	
Plaintiff,)	
)	ORDER DENYING MOTION FOR
vs.)	RECONSIDERATION
)	
DAY COUNTY CIRCUIT COURT,)	
)	
Defendant.)	

Plaintiff, Gregory Lewandowski, filed a motion to reconsider. On November 28, 2011, this court dismissed Lewandowski's case because it was identical to a prior lawsuit, *Lewandowski v. Day County Circuit Court et. al.*, 09-4089, which was dismissed for failure to state a claim upon which relief may be granted because his claim was a habeas claim, not a § 1983 claim. This court also assessed Lewandowski his third "strike" under 28 U.S.C. § 1915(g).

Lewandowski now asserts that "someone in the United States District Court of South Dakota wants to fraud a pro se claimant by passing a phony to state a claim dismissal in hopes that the pro se claimant will not notice the dismissal was not authorized by signature Chief Judge Karen E. Schreier (by the court) or attested by the Clerk, as with the official filing stamp by the clerk." Docket 6. This contention is false. The order that Lewandowski asserts

is false was entered by this court, signed by the judge, and properly filed.

The court notes that in addition to being a “three-strikes” litigant, Lewandowski has been warned that filing repetitive and frivolous motions with this court could subject him to sanctions under Rule 11 of the Federal Rules of Civil Procedure. *See Lewandowski v. Flemmer*, Civ. No 10-4058, Docket 19. If Lewandowski is unhappy with this court’s resolution of his claims, he may file an appeal with the Eighth Circuit Court of Appeals.

Therefore, it is

ORDERED that Lewandowski’s motion to reconsider (Docket 6) is denied.

Dated March 15, 2012.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
CHIEF JUDGE