

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

GREGORY ALLEN)	Civ. 11-4125-KES
LEWANDOWSKI, also known as)	
Greg Alan Lewandowski, also)	
known as Gregory Lewandowski;)	
)	ORDER DENYING MOTION FOR
Plaintiff,)	RECONSIDERATION
)	
vs.)	
)	
JON S. FLEMMER, In his)	
Administrative Capacity,)	
)	
Defendant.)	

Plaintiff, Gregory Lewandowski, filed a motion to reconsider. On October 19, 2011, this court dismissed Lewandowski's case because it was essentially an attempt to reassert claims this court rejected in a prior lawsuit, *Lewandowski v. Flemmer*, 10-4058. Thus, Lewandowski failed to state a claim upon which relief may be granted and his case was dismissed pursuant to 28 U.S.C. § 1915(e)(2).

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." This contention is false. The order that Lewandowski asserts is false

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

A review of this court's docket demonstrates that this action is the *third time* Lewandowski has resorted to the federal courts on the same or a similar set of claims. See *Lewandowski v. Flemmer*, Civ. No 10-4058 and *Lewandowski v. SWST Fuel et. al*, Civ. No. 07-4159. The court also notes that 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 7) is denied.

Dated March 15, 2012.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
CHIEF JUDGE