

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DALE MAISANO,

Plaintiff,

v.

DOCTOR KENNETH MERCHANT et al.,

Defendants.

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Case No. 3:14-cv-01668

Judge Sharp

ORDER

The complaint in this case was filed in an improper venue, is frivolous, and fails to comply with the restraining order entered by Senior United States District Judge Stephen M. McNamee on August 11, 1992. *Maisano v. Lewis*, CIV 92-1026-PHX-SMM (MS) (D. Ariz. Aug. 11, 1992). Pursuant to that restraining order, any “[f]ailure to comply strictly with [its] terms . . . will be sufficient ground to deny leave to file.” *Id.* Because the plaintiff made no attempt with his current filing to comply with the restraining order, the present complaint is hereby **DISMISSED WITHOUT PREJUDICE**.

An appeal of this order would not be in good faith, and the Court will not grant leave to appeal *in forma pauperis*.

It is so **ORDERED**.

This is the final judgment in this action for purposes of Rule 58, Fed. R. Civ. P.



KEVIN H. SHARP
United States District Judge