
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

129.97 ACRES OF LAND, MORE OR LESS, SITUATED IN DAVIS COUNTY, STATE OF UTAH; EDWIN M. HIGLEY; MTGLQ INVESTORS, a Delaware limited partnership; CARL BOWN; B.C. PROPERTIES; LYNN A. JENKINS and ANY UNKNOWN OWNERS (PARCEL NO. GLC-(mit.)-4),

Defendants.

**MEMORANDUM DECISION
AND ORDER**

Case No. 1:97CV0095

Judge Dale A. Kimball

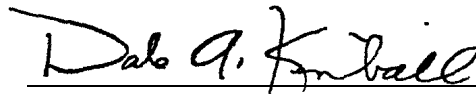
This matter is before the court on Defendant Lynn A. Jenkins's Motion to Dismiss, filed February 24, 2012, seeking the court to dismiss the Court's judgment for failure to follow federal and state mandates. This Motion to Dismiss is identical to the Motion to Dismiss filed by Jenkins on January 20, 2012. The court's February 15, 2012 Memorandum Decision and Order denying that motion detailed the history of this case, explained that the case has been closed for years, and warned Jenkins that future such filings would result in contempt sanctions.

Given that the court's February 15, 2012 Memorandum Decision and Order was not docketed until February 17, 2012 and was mailed to Jenkins, it is unclear whether Jenkins had the court's Memorandum Decision and Order before filing his successive Motion to Dismiss.

Accordingly, the court will not impose sanctions for the February 24, 2012 Motion to Dismiss. The February 24, 2012 Motion to Dismiss, however, is DENIED for the same reasons provided in the court's February 15, 2012 Memorandum Decision and Order. Any future filings in this long-closed case will result in substantial sanctions for contempt of court. There is no basis for such filings and Jenkins shall not disrupt the functioning of the court with frivolous filings.

DATED this 27th day of February, 2012.

BY THE COURT:

A handwritten signature in black ink that reads "Dale A. Kimball". The signature is written in a cursive style with a horizontal line underneath it.

DALE A. KIMBALL

United States District Judge