
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

FRANCOIS COEUR,

Plaintiff,

v.

LAURA SCOTT,

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

and

**DESIGNATING PLAINTIFF A
RESTRICTED FILER STATUS**

Case No. 2:17-cv-0087-CW-PMW

Judge Clark Waddoups

This case was assigned to United States District Court Judge Clark Waddoups, who then referred it to Chief Magistrate Judge Paul M. Warner pursuant to 28 U.S.C. § 636(b)(1)(B). On March 9, 2018, Chief Magistrate Judge Warner issued a Report and Recommendation recommending that the case be dismissed for lack of subject-matter jurisdiction under the *Rooker-Feldman* doctrine. Plaintiff Francois Coeur filed no objection to the Report and Recommendation.

Plaintiff's Complaint challenges dismissal of his state court cases. Because those state proceedings have ended, application of the *Rooker-Feldman* doctrine is appropriate in this case. Accordingly, the court hereby APPROVES AND ADOPTS Chief Magistrate Judge Warner's *Rooker-Feldman* analysis and DISMISSES this case WITHOUT PREJUDICE. Due to the court's lack of subject-matter jurisdiction, it does not reach the immunity question.

RESTRICTED FILER STATUS

Chief Magistrate Judge Warner further recommended that Plaintiff be designated a

restricted filer in this court. In addition to being a prolific filer in the state court, Plaintiff has filed seven cases in two years in this court. Of those cases that have been decided, all lacked merit. This is consistent with the outcome of the cases Plaintiff has filed in state court. Because Plaintiff has a pattern of vexatious litigation, the court ADOPTS Chief Magistrate Judge Warner's recommendation and designates Plaintiff a restricted filer. All new civil complaints filed by Plaintiff shall be subject to the following conditions:

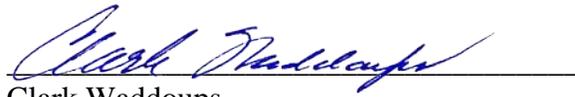
1. Any new civil complaint that Plaintiff sends to this court will be collected by the Clerk of the Court and sent to a Magistrate Judge for review.
2. The Magistrate Judge will then review the complaint to determine whether it is meritorious and should be filed, or whether it is meritless, duplicative, or frivolous.
3. If the Magistrate Judge determines that the complaint is meritless, duplicative, or frivolous, the Magistrate Judge will forward the complaint to the Chief District Judge for further review.
4. Only with the consent of the Chief District Judge will the complaint be filed.
5. Plaintiff's pleadings must be certified as provided in Rule 11 of the Federal Rules of Civil Procedures.

CONCLUSION

For the reasons stated above, the court ADOPTS the Report and Recommendation issued by Chief Magistrate Judge Warner (ECF No. 17), and DISMISSES this case WITHOUT PREJUDICE. Each party shall bear one's own costs. The court further ADOPTS the recommendation to designate Plaintiff Francois Coeur as a restricted filer. Any new civil complaints filed by Plaintiff shall be subject to the conditions stated above. The court now directs the Clerk of Court to close this case.

SO ORDERED this 13th day of April, 2018.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups
United States District Judge