

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JULIET SIRISU SARIOL,

CASE NO. C16-0835JLR

11 Appellant,

ORDER

12 v.

13 K. MICHAEL FITZGERALD,

14 Appellee.

15 Before the court is *pro se* Appellant Juliet Sirisu Sariol's "emergency motion to
16 request for preliminary [sic] injunction relief from stay" and "brief" in support of her
17 motion. (Mot. (Dkt. # 34); Br. (Dkt. # 35).) For the reasons set forth below, the court
18 DENIES the motion.

19 On June 2, 2016, the Bankruptcy Appellate Panel ("BAP") of the Ninth Circuit
20 transferred two motions filed by Ms. Sariol to this court for review: (1) Ms. Sariol's
21 motion for leave to proceed *in forma pauperis* ("IFP") on her appeal to the BAP (IFP
22 Mot. (Dkt. # 1-1)), and (2) her motion to appoint counsel on her appeal to the BAP (Mot.

1 for Counsel (Dkt. # 1-2).) On June 27, 2016, the court denied Ms. Sariol’s motion to
2 proceed IFP because she failed to file a completed IFP application. (6/27/16 Order (Dkt.
3 # 5) at 3; *see also* 6/8/16 Order (Dkt. # 3) at 3 (granting Ms. Sariol leave to amend her
4 motion for leave to proceed IFP).) Additionally, the court denied Ms. Sariol’s motion for
5 counsel because she failed to demonstrate the “exceptional circumstances” necessary to
6 warrant appointment of counsel under 28 U.S.C. § 1915(e)(1). (6/27/16 Order at 3.) The
7 court closed this file on June 27, 2016. (*See* Dkt.; 6/27/16 Order at 3.)

8 Ms. Sariol subsequently filed a number of motions, which the court construed as
9 motions for reconsideration of the court’s prior order denying her leave to proceed IFP.
10 (*See* 7/14/16 Mot. (Dkt. # 6); 7/19/16 Mot. (Dkt. # 7); 2d 7/19/16 Mot. (Dkt. # 8); 3d
11 7/19/16 Mot. (Dkt. #9); *see also* 7/26/16 Order (Dkt. # 13) at 2.) On July 26, 2018, the
12 court denied Ms. Sariol’s motions for reconsideration of its order denying her IFP status.
13 (7/26/16 Order at 6.)

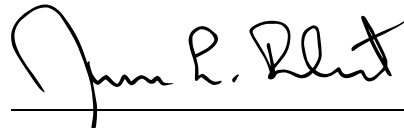
14 Ms. Sariol appealed the court’s July 26, 2016, order to the Ninth Circuit Court of
15 Appeals. (*See* 7/27/16 Mot. (Dkt. # 14); 7/29/16 Min. Order (Dkt. # 15); 7/29/16 Not. of
16 Appeal (Dkt. # 16).) Ms. Sariol did not comply with Federal Rule of Appellate
17 Procedure 24 when seeking to proceed IFP on appeal, however. (8/9/16 Order (Dkt.
18 # 21) at 1-2.) Ultimately, the Ninth Circuit dismissed her appeal. (CA9 3/14/17 Order
19 (Dkt. # 33).)

20 On December 12, 2018, Ms. Sariol filed the present motion. (*See* Mot.) Ms.
21 Sariol states that she seeks “preliminary [i]njunction relief from stay . . . pursuant to 28
22 U.S.C. [§] 1292” (*Id.* at 3.) The court is unable to discern either the nature of the

1 relief Ms. Sariol seeks or the substance of the allegations she puts before the court;
2 however, her motion appears not to be related to her bankruptcy appeal. (*See* Mot.; Br.)
3 In any event, this case was closed more than two years ago. (*See* 6/27/16 Order at 3
4 (transferring case back to the BAP).) The court will not permit Ms. Sariol to file
5 unrelated pleadings under this cause number. If Ms. Sariol wishes to put a claim for
6 relief before the court, she must open a new matter. The court refers Ms. Sariol to the
7 court's resources for *pro se* litigants, available at:
8 <https://www.wawd.uscourts.gov/representing-yourself-pro-se>.

9 For the foregoing reasons, the court DENIES Ms. Sariol's motion for injunctive
10 relief (Dkt. # 34).

11 Dated this 14th day of December, 2018.

12
13 

14 The Honorable James L. Robart
15 U.S. District Court Judge
16
17
18
19
20
21
22