

1 HONORABLE RONALD B. LEIGHTON
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 BILLY LYONS,

11 Plaintiff,

12 v.

13 PACIFIC COUNTY CLERK AND
14 ADMINISTRATOR, et al.,

15 Defendants.

16 CASE NO. C17-5335RBL

17 ORDER OF DISMISSAL WITH
18 PREJUDICE

19 THIS MATTER is before the Court on Defendant Pacific County's Motion to Dismiss
20 [Dkt #s 13] and Defendant Williams' Joinder in that Motion [Dkt. #14].

21 This case is in all material respects identical to a prior case Mr. Lyons filed against these
22 same parties last year, based on the same 2012 "incident." That case was dismissed with
23 prejudice as to Defendants Pacific County and Williams. *See Lyons v. Blauvet et al.*, Cause No
24 CV16-5256RBL, Dkt. #s 35 (Williams) and 54 (Pacific County)¹.

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1 Undeterred, Lyons simply filed a whole new lawsuit, complaining about the exact same
2 things. Defendants seek dismissal on *res judicata* and statute of limitations grounds, as well as
3 on the merits.

4 The Court takes judicial notice of the prior case and all of the filings in it. That case was
5 frivolous and based in part on suspect, perhaps manufactured, evidence.

6 This case is even more frivolous—it is barred by the dismissal with prejudice of the prior
7 case, and by the passage of even more time—and it inexplicably continues to rely on the same
8 “evidence.” There is no chance that the second page of the letter Lyons repeatedly offers was
9 written by his former attorney, Defendant Dana Williams. It is gibberish, replete with the same
10 misspellings and grammatical errors that Lyons himself has routinely made in his other filings:

11 **Lyons/Newberg According to the ruling of Judge Godfrey. You were requid to pay
12 There Attorney refussep to stop the Clerk from removing Judge Godfrey.**

13 See Dkt. #15, page 8 in this case; Dkt. #17 at Ex. 2 in CV16-5256RBL. There are at least nine
14 such errors in this two-line “excerpt,” and the sentence would not make sense even if those errors
15 were corrected.

16 Lyons’ complaint is based on a case he lost at trial (and failed to appeal) in 2012. Lyons
17 has filed at least three lawsuits since, all complaining about the same innocuous event—the pre-
18 trial administrative re-assignment of his case from one judge to another. It is readily apparent
19 that the first state court judge conditioned his grant of Lyons’ request for a continuance of the
20 then-scheduled 2011 trial date on his payment of terms—the costs incurred by his opponent as
21 the result of the continuance.

22 This is not uncommon or untoward. Lyons’ attempt to convince the Court that the
23 payment was instead some sort of bribe to prevent the re-assignment of the case to some other,
24

1 presumably corrupt or incompetent—but nevertheless sitting—judge is false and frivolous. To
2 the extent it relies on Williams’ “admission” of the same, quoted above, it is also potentially
3 fraudulent.

4 The Motions to Dismiss [Dkt. #s 13 and 14] are **GRANTED** and Lyons’ claims against
5 the Pacific County Defendants and Defendant Williams are again **DISMISSED with prejudice**
6 **and without leave to amend.**

7 Defendant Williams also asks the Court to enter a bar order precluding Lyons from re-
8 filing a similar claim a third (or, in Williams’ case, a fourth) time. For now, the Court will
9 decline to do so. But, **FAIR WARNING:** if Lyons re-files any case based on the events outlined
10 in this or the prior case(s), the Court will entertain a motion for attorneys’ fees based on Lyons’
11 repeated, vexatious and frivolous filings. It will also permit and encourage the defendants to “get
12 to the bottom” of the authenticity of letter described above, and the full range of possible
13 consequences for submitting falsified evidence will be in play.

14 **IT IS SO ORDERED.**

15 Dated this 17th day of July, 2017.

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17 Ronald B. Leighton

18 Ronald B. Leighton
19 United States District Judge
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