

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

IN RE: SELINA R. MILLER

General Order No. COL: 13-01

ORDER

This matter is before the Court for consideration of whether the right of Selina R. Miller to proceed *in forma pauperis* should be revoked.

Ms. Miller has filed an excessive number of lawsuits in this Court, eleven (11) in 2012 alone, seeking leave in each case to proceed *in forma pauperis*. Many of the complaints are incomprehensible. Most of the complaints have been summarily dismissed as frivolous under 28 U.S.C. § 1915(e). *See Neitzke v. Williams*, 490 U.S. 319, 324 (1989) (section 1915(e) authorizes federal courts to dismiss a claim filed *in forma pauperis* “if the allegation of poverty is untrue, or if satisfied that the action is frivolous or malicious[.]” because “Congress recognized . . . that a litigant whose filing fees and court costs are assumed by the public, unlike a paying litigant, lacks an economic incentive to refrain from filing frivolous, malicious, or repetitive lawsuits”).

Frivolous lawsuits interfere with the Court’s ability to consider meritorious cases. *In re Sindram*, 498 U.S. 177, 179–80 (1991); *In re McDonald*, 489 U.S. 180, 184 (1989). As the Supreme Court of the United States has emphasized:

It is vital that the right to file *in forma pauperis* not be encumbered by those who would abuse the integrity of our process by frivolous filings, particularly those few persons whose filings are repetitive with the obvious effect of burdening the office of the Clerk and the other members of the Court staff.

In re Amendment to Rule 39, 500 U.S. 13, 13 (1991) (per curiam). The sheer number of filings by Ms. Miller in this Court have had the “obvious effect of burdening the office of the Clerk and the other members of the Court staff.” *Id.*

Furthermore, the frivolous nature of Ms. Miller’s complaints is apparent, alleging such things as relationships with famous basketball players, devil worshiping and tape recordings of monsters. Ms. Miller’s continuous filing of these meritless and frivolous lawsuits has consumed the valuable and limited resources of this Court and its personnel, resources to which other litigants may properly lay claim as well. Consequently, the Court views Ms. Miller’s repetitious filing of groundless lawsuits as an abuse of her privilege of proceeding *in forma pauperis*.


Although the Court is always hesitant to deny an individual access to it, the repeated filing of frivolous and abusive lawsuits places too substantial a burden on this Court’s processes to permit Ms. Miller’s abuse of leave to proceed *in forma pauperis* to continue. A recognized remedy for such abuse is the Court’s refusal to accept any complaints for filing absent payment of the filing fee authorized by 28 U.S.C. § 1914(a). *See, e.g., In re Sindram*, 498 U.S. at 180; *Maxberry v. Sec. & Exch. Comm’n*, 879 F.2d 222, 224 (6th Cir. 1989). “Sanctions of damages and costs are ineffective to deter such filings as *in forma pauperis* status is conditioned on an affidavit or declaration that the petitioner is financially unable to pay fees or post security.” *In re Amendment to Rule 39*, 500 U.S. at 14.

Accordingly, we hereby **DIRECT** the Clerk of this Court to refuse to accept any further filings from Selina R. Miller in which she seeks to proceed *in forma pauperis* unless the request to proceed *in forma pauperis* is accompanied by a certification from a member of the Bar of the Southern District of Ohio that he or she has read the complaint and that it complies with Rules 8


an 11 of the Federal Rules of Civil Procedure. Ms. Miller may otherwise file a complaint in this Court only if she submits the required filing fee in compliance with 28 U.S.C. § 1914(a) and the Rules of the United States District Court for the Southern District of Ohio.

IT IS SO ORDERED.

2-14-2013




Edmund A. Sargus, Jr., Judge
United States District Court




Algenon L. Marbley, Judge
United States District Court




Gregory L. Frost, Judge
United States District Court




Michael H. Watson, Judge
United States District Court



George C. Smith, Senior Judge
United States District Court



James L. Graham, Senior Judge
United States District Court



Peter C. Economus, Senior Judge
United States District Court