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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANNA MARIE (?) LAST NAME UNCERTAIN
AND 619 OTHERS,

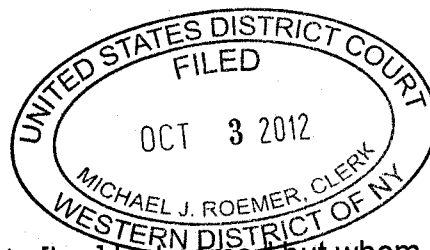
Plaintiffs,

-v-

ELECTORS FOR THE STATE OF NEW YORK,

Defendants.

12-CV-0906A
ORDER



Plaintiff, who claims she “no longer has certainty as to [her] last name,” but whom the Court has determined through other references in her papers and PACER is AnnaMarie Riethmiller, has filed an application to proceed *in forma pauperis* and what she has titled a “Motion for a Declaratory Orders and an Interdict.” The Court construes the latter as a complaint. A search of PACER reveals that on or about the same date plaintiff filed this action she also filed two other identical actions in the District of Maine (Bangor), *Annamarie Last Name Uncertain also know as AnnaMarie Reithmiller, et al. v. Electors for the State of Maine*, 12-CV-0293-DBH, and the Eastern District of Washington, *AnnaMarie D. Riethmiller, et al. v. Electors for the State of Washington*, 12-CV-0548-TOR. The Eastern District of Washington immediately dismissed plaintiff’s action, pursuant to 28 U.S.C. § 1915(e)(2)(B), as “frivolous . . . because it [was] a product of delusion or fantasy.” (Order, Docket No. 3.) The District of Maine has not yet addressed the application for *in forma pauperis* status or the complaint. Plaintiff resides in Bradenton, Florida.

It is clear from even the most cursory review of plaintiff's complaint, which is also brought on behalf of 619 other individuals who appear to have been patients of a psychiatrist in Florida and received mental health services in the State of Florida, is wholly and utterly delusional and must be dismissed. See *Neitzke v. Williams*, 490 U.S. 319, 324, citing to what is now 28 U.S.C. § 1915(e). Accordingly,

IT IS HEREBY ORDERED THAT this action is dismissed with prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), because it is frivolous;

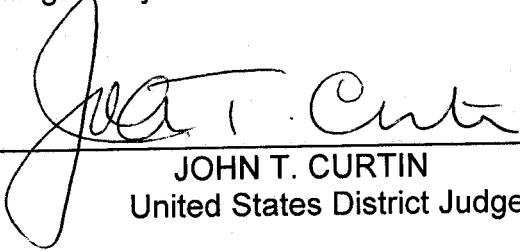
FURTHER, that the application to proceed *in forma pauperis* is denied as moot and, because the Court finds that any appeal from this Order would not be taken in good faith, leave to proceed as a poor person on appeal is denied. Any applications to proceed as a poor person on appeal must be filed with the United States Court of Appeals for the Second Circuit pursuant to Fed.R.App.P. 24; and

FURTHER, that plaintiff is advised that the filing of further frivolous lawsuit will result in the imposition of more serious sanctions than dismissal, including but not limited to monetary fines and an injunction barring the filing of any and all further actions.

SO ORDERED.

DATED:

10/3, 2012
Buffalo, New York



JOHN T. CURTIN
United States District Judge