

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DENNIS F. VILELLA, ET AL., :
:
Plaintiffs, :
:
-against- :
:
MARIE G. SANTAGATA, ET AL., :
:
Defendants. :
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ORDER

87 Civ. 1450 (KMK) (LMS)



KENNETH M. KARAS, United States District Judge:

By Judgment dated September 2, 1987, Plaintiffs' Complaint in this case was dismissed. (Judgment filed September 2, 1987 (Dkt. No. 39).) The Judgment was affirmed by the United States Court of Appeals for the Second Circuit by Mandate issued on March 16, 1988. (Mandate issued March 16, 1988 (Dkt. No. 43).) On June 15, 2012, Plaintiff, George Sassower, submitted a motion seeking injunctive and declaratory relief. On July 11, 2012, Sassower submitted a Notice of Settlement and a motion seeking additional injunctive relief.

Sassower is enjoined from filing any civil action or motions in the United States District Court for the Southern District of New York without first obtaining leave from the Court. *See Sassower v. Abrams, et al.*, 833 F. Supp. 253, 273 (S.D.N.Y. 1993) ("Until leave from the Court is obtained, any document or motion served by Sassower is a nullity and no party need file a response thereto. The Clerk of the Court is hereby ordered not to accept for filing any paper or proceeding or motion or new case of any kind presented by George Sassower, or naming him as a party plaintiff or petitioner, without the leave in writing first obtained from a judge or magistrate of this Court.").

CONCLUSION

Sassower's motions are denied, in their entirety, for failure to comply with the Court's leave to file order. *See In re Martin-Trigona*, 9 F.3d 226, 230 (2d Cir. 1993) ("The procedures adopted by this Court for disposition of 'leave to file' applications are a reasonable response to the harassing abuse of the litigation process that occasioned the imposition of the 'leave to file' requirement. Litigants like Martin and Sassower who abuse the judicial system forfeit their right to the full panoply of procedures available in the conduct of normal litigation. The procedures adopted in response to the demonstrated abuse that has occurred are necessary for the courts, the judges, and ultimately for the public, many of whom are victimized when vexatious litigants are permitted unrestricted opportunities to pursue their tactics of harassment."); *see also Hong Mai Sa v. Doe*, 406 F.3d 155, 157 (2d Cir. 2005) (denying plaintiff's petition for mandamus, where plaintiff "was enjoined from filing any document in the district court without prior approval," and plaintiff violated the order by giving papers to the clerk of that court, which the court refused to file or docket). The Clerk of Court is directed to accept no further submissions from Sassower in this case.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: September 7, 2012
White Plains, New York


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE