

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DANIEL L. DUMONDE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 07-2123 (JR)
	:	
CONGRESS OF THE UNITED STATES,	:	
<i>et al.</i> ,	:	
	:	
Defendants.	:	

MEMORANDUM

Daniel DuMonde, a resident of Montgomery Federal Prison Camp at Maxwell Air Force Base, Montgomery, Alabama, has filed his fourth civil action in this Court, all four related to his arrest and conviction for a financial fraud.

The first, No. 07-0629, was a habeas corpus petition challenging his conviction for forgery. That petition was dismissed by Judge Bates on April 10, 2007. DuMonde's appeal is pending in the Court of Appeals (although Judge Bates has denied a certificate of appealability).

A little more than a week after the dismissal of his habeas petition, DuMonde filed his second case, No. 07-0715, this one naming 16 defendants, including federal Circuit Judges, a federal District Judge, the Attorney General of the United States, a United States Attorney and two of her assistants, a Secret Service agent and a private citizen of Birmingham, asserting claims under the RICO statute related to the same

prosecution and conviction. On June 18, 2007 I granted the motion of four of those defendants to dismiss and ordered DuMonde to show cause why the case should not be dismissed with respect to the rest of them. DuMonde noticed an interlocutory appeal. By an order issued on December 7, 2007, intended to minimize the harassment caused by the frivolous naming of multiple officials as defendants, all other proceedings in that second case have been stayed pending the outcome of the appeal.

DuMonde's third case, filed October 9, 2007, No. 07-1830, names the bank and two of its employees, asserting various causes of action under the civil rights provisions of Title 42 because they apparently provided evidence against him. An order issued December 7, 2007, dismisses that action.

DuMonde's fourth case, the instant case, is styled a "suit in outrage," names the Congress of the United States, five United States Senators, one United States Representative, the Acting U. S. Attorney General (who is no longer acting), and the warden of the Federal Prison Camp at Maxwell Air Force Base, and repeats DuMonde's claim that he is a "hostage" who was seized from his home by fraud perpetrated by the Jefferson County Alabama Sheriff's Department using phony documents only purporting to be an arrest warrant -- that he was indeed kidnapped.

Enough is enough. This fourth complaint, which can without exaggeration be characterized as a rant, does not state a claim upon which relief can be granted and, by a separate order issued with this order, *sua sponte* will be dismissed. Because of the patently frivolous and harassing nature of DuMonde's repeated and indiscriminate resort to litigation, the order accompanying this memorandum further directs the Clerk to refuse to file and to return to plaintiff any further complaints he lodges in this court, if he attempts to file them without a motion for leave to file, which motion will be referred to the undersigned judge for action. See In re Powell, 851 F.2d 427, 431 (D.C. Cir. 1988).

JAMES ROBERTSON
United States District Judge