

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

DUNCAN J. McNEIL, III,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 05-114-P-H
)	
UNITED STATES, ET AL.,)	
)	
DEFENDANTS)	

ORDER ON PENDING MOTIONS

All the pending motions are **DENIED** as frivolous. I have already ordered that this case be dismissed.

Magistrate Judge Kravchuk noted in her Recommended Decision of June 24, 2005, some of the courts where this litigant has filed other lawsuits, where he has already been adjudicated a vexatious litigant and where he is facing an order to show cause why he should not be adjudicated a vexatious litigant. His continued frivolous filings here and elsewhere reflect the same behavior.¹ At

¹ Following Judge Kravchuk's June 24, 2005, recommendation and order, McNeil has filed five lengthy motions for various forms of relief and an amended complaint.

In addition to the cases cited by Judge Kravchuk in that recommendation and order, McNeil has recently filed suit against the United States and others in the United States District Courts for the Eastern and Western Districts of Arkansas; Arizona; Connecticut; the District of Columbia; the Northern, Central, and Southern Districts of California; the Middle District of Florida; the Middle and Southern Districts of Georgia; Hawaii; Idaho; the Central and Southern Districts of Illinois; the Northern and Southern Districts of Iowa; the Eastern, Middle, and Western
(continued on next page)

this time, I place Mr. McNeil on **NOTICE** that filing restrictions “may be in the offing” in this District. See Cok v. Family Court of R.I., 985 F.2d 32, 35 (1st Cir. 1993). This represents the “cautionary order” of which Cok speaks. Groundless and inappropriate filings will not be tolerated.

So ORDERED.

DATED THIS 31ST DAY OF AUGUST, 2005

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

Districts of Louisiana; the Eastern and Western Districts of Michigan; Minnesota; the Southern District of Mississippi; the Eastern and Western Districts of Missouri; Nebraska; New Jersey; the Eastern District of New York; the Middle and Western Districts of North Carolina; the Southern District of Ohio; the Northern, Eastern, and Western Districts of Oklahoma; Oregon; the Western District of Pennsylvania; Rhode Island; South Carolina; South Dakota; the Eastern, Western, and Southern Districts of Texas; Utah; the Eastern and Western Districts of Virginia; the Eastern District of Washington; the Eastern and Western Districts of Wisconsin; and Wyoming.

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET FOR CASE #: 05:CV114**

DUNCAN J. McNEIL, III

Plaintiff

Represented by: Duncan J. McNeil, III
Pro Se
2030 W. Spoffard
Spokane, WA 99205

v.

**UNITED STATES
MAINE U.S. DISTRICT COURT CLERK
MAINE U.S. BANKRUPTCY COURT CLERK
MAINE U.S. ATTORNEY
MAINE U.S. TRUSTEE OFFICE
MAINE U.S. MARSHAL SERVICE
MAINE FBI
MAINE IRS
MAINE SECRET SERVICE**

Represented by:

and

DOES 1—500

Defendants