

S.D.N.Y. - N.Y.C.
17-cv-9861
17-cv-9862
17-cv-9863
17-cv-9864
17-cv-9865
17-cv-9866
McMahon, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 21st day of May, two thousand eighteen.

Present:

Rosemary S. Pooler,
Richard C. Wesley,
Denny Chin,
Circuit Judges.

Gregory D. Kilpatrick,

Plaintiff-Appellant,

v.

18-287

Howard A. Zucker, M.D. J.D., Commissioner of New York State
Department of Health Office of Professional Medical Conduct,

Defendant-Appellee.

Gregory D. Kilpatrick,

Plaintiff-Appellant,

v.

18-291

R.N. Sally Dreslin, M.S., Office of Professional Medical Conduct,

Defendant-Appellee.

Gregory D. Kilpatrick,

Plaintiff-Appellant,

v.

18-295

Mary Ellen Elia, Commissioner O.P.D., Board of
Regents, Education,

Defendant-Appellee.

Gregory D. Kilpatrick,

Plaintiff-Appellant,

v.

18-304

Leslie M. Arp, Chief Investigating Unit,

Defendant-Appellee.

Gregory D. Kilpatrick,

Plaintiff-Appellant,

v.

18-306

Catherine Leahy Scott, Inspector General,

Defendant-Appellee.

Gregory D. Kilpatrick,

Plaintiff-Appellant,

v.

18-308

Governor Andrew Cuomo, New York State, Albany,

Defendant-Appellee.

The proceedings docketed under 18-287, 18-291, 18-295, 18-304, 18-306, and 18-308 are consolidated for purposes of this order.

Appellant, pro se, moves for in forma pauperis status, appointment of counsel, damages, and a "bar order" in these six appeals from sua sponte dismissals of his actions. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeals are DISMISSED as frivolous because they "lack[] an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e).

Appellant has filed a number of frivolous matters in this court. This Court already held that the appeals docketed under 17-2831 and 17-3128 were frivolous. Appellant has the following frivolous appeals pending: 17-3533, 17-3547, 17-4031, 18-287, 18-291, 18-295, 18-304, 18-306, and 18-308. Accordingly, Appellant is hereby warned that the continued filing of duplicative, vexatious, or clearly meritless appeals, motions, or other papers, will result in the imposition of a sanction, which may require Appellant to obtain permission from this Court prior to filing any further submissions in this Court (a "leave-to-file" sanction). *See In re Martin-Trigona*, 9 F.3d 226, 229 (2d Cir. 1993); *Sassower v. Sansverie*, 885 F.2d 9, 11 (2d Cir. 1989).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE GREGORY D. KILPATRICK.

17-CV-9861; 17-CV-9862;
17-CV-9863; 17-CV-9864;
17-CV-9865; 17-CV-9866 (CM)

CIVIL JUDGMENT

Pursuant to the order issued February 23, 2018, dismissing the complaints,

IT IS ORDERED, ADJUDGED AND DECREED that the complaints are dismissed under 28 U.S.C. § 1915(e)(2)(B)(i),

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

SO ORDERED.

Dated: February 23, 2018
New York, New York



COLLEEN McMAHON
Chief United States District Judge

**Additional material
from this filing is
available in the
Clerk's Office.**