

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 18-2187

CHRIS ANN JAYE,
Appellant

v.

OAK KNOLL VILLAGE CONDOMINIUM OWNERS ASSOCIATION, INC.; ERICK P. SPRONCK; ROBERT A. STEPHENSON; DENNIS LEFFLER; KELLY JONES; JENNIFER COOLING; KONSTANTINOS RENTOULIS; THE ESTATE OF JOSEPH COUSINS f/k/a JOSEPH COUSINS (deceased); MARILYN COUSINS; LES GIESE; ANNE THORNTON; MAINTENANCE SOLUTIONS, INC., its agents and assigns; CONDO MANAGEMENT MAINTENANCE CORPORATION, its agents and assigns; RCP MANAGEMENT; ACCESS PROPERTY MANAGEMENT, its agents and assigns; FOX CHASE CONTRACTING, LLC, its agents and assigns; TRACY BLAIR; BERMAN, SAUTER, RECORD & JACOBS, PC, its agents and assigns f/k/a BERMAN, SAUTER, RECORD & JACOBS; KENNETH SAUTER, ESQ. and CPA; EDWARD A. BERMAN, ESQ.; STEVEN ROWLAND, ESQ.; BROWN, MOSKOWITZ & KALLEN, PC., its agents and assigns; HILL WALLACK, its agents and assigns; MARSHALL, DENNEHY, WARNER, COLEMAN & GOGGIN, its agents and assigns; SUBURBAN CONSULTING ENGINEERS, its agents and assigns; SCHNECK, PRICE, SMITH & KING, LLP, its agents and assigns; THE LAW OFFICES OF ANN M. MCGUFFIN, its agents and assigns; WILLIAMS TRANSCONTINENTAL GAS PIPELINE, its agents and assigns; CLINTON TOWNSHIP SEWERAGE AUTHORITY, its agents and assigns; PUMPING SERVICES, INC., its agents and assigns; J. FLETCHER-CREAMER & SONS, its agents and assigns; STRATHMORE INSURANCE, its agents and assigns; QBE INSURANCE CORPORATION, its agents and assigns; COMMUNITY ASSOCIATION UNDERWRITERS OF AMERICA, INC., its agents and assigns; MIRRA & ASSOCIATES, LLC, its agents and assigns; JOHN DOES 1-20 (Fictitious Names); STEPHENSON ASSOCIATES, INC.; HENKELS AND MCCOY, INC., its agents and assigns; FREY ENGINEERING; GNY INSURANCE COMPANIES, its agents and assigns

On Appeal from the United States District Court
for the District of New Jersey

(D.C. Civil Action No. 1:15-cv-08324)
District Judge: Honorable Robert B. Kugler

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
July 19, 2019
Before: KRAUSE, SCIRICA and NYGAARD, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit L.A.R. 34.1(a) on July 19, 2019. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered May 18, 2018, be and the same is hereby affirmed. Costs taxed against the appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/Patricia S. Dodszuweit
Clerk

Dated: August 1, 2019

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **18-2187**

CHRIS ANN JAYE, Appellant

VS.

OAK KNOLL VILLAGE CONDOMINIUM OWNERS ASSOCIATION INC, ET AL.

(D.N.J. Civ. No. 1:15-cv-08324)

Present: KRAUSE, SCIRICA and NYGAARD, Circuit Judges

ORDER

Upon consideration of the Appellees' motions for sanctions and motion to preclude Appellant Chris Ann Jaye from filing further documents in this appeal, and Jaye's responses thereto, the Appellees' motions are granted.

Jaye has filed in state and federal court numerous complaints and appeals, all of which pertain to a dispute between her and her condominium association regarding unpaid assessments and fees. Because of her repetitive and frivolous filings in the United States District Court for the District of New Jersey, that court has (1) directed that the defendants need not respond to Jaye's motions unless ordered to do so, see Jaye v. Hoffman, D.N.J. Civ. No. 1:14-cv-07471 (order entered May 18, 2018); Jaye v. Hoffman, D.N.J. Civ. No. 1:16-cv-07771 (order entered Apr. 9, 2018); (2) warned Jaye that "false statements and reckless accusations of misconduct against Defendants in the face of clear evidence to the contrary are potential grounds for sanctions against Plaintiff," Jaye v. Oak Knoll Vill. Condo. Owners Ass'n, Civ. No. 1:15-cv-08324, 2016 WL 7013468, at *6 n.11 (D.N.J. Nov. 30, 2016); and (3) prohibited Jaye, when proceeding pro se, from filing lawsuits "relating to disputes concerning the payment of her condominium fees, or foreclosure proceedings, or any perceived conspiracies emanating out of them, Jaye v. Shipp, D.N.J. Civ. No. 1:17-cv-05257 (order entered May 18, 2018).

We, too, have warned Jaye that duplicative or frivolous motions may result in sanctions. See Jaye v. Att'y Gen. New Jersey, C.A. No. 16-2641 (order entered Sept. 22, 2016); Jaye v. Oak Knoll Vill. Condo. Assoc., C.A. No. 18-2187 (order entered Aug. 2, 2018); Jaye v. Oak Knoll Vill. Condo. Assoc., C.A. No. 17-2564, 751 F. App'x 293, 300 (Sept. 13, 2018). In the case at bar, C.A. No. 18-2187, we advised Jaye that if "she continues to make disparaging remarks against opposing parties, counsel, or judges or allegations of criminal behavior or other wrongdoing by persons involved in the litigation that are not

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supported by clear evidence, she will be subject to sanctions, including monetary fines.” (order entered Aug. 2, 2018).

Despite that warning, Jaye has continued her baseless attacks against opposing counsel, accusing him of criminal conduct, using profanity to make her points, and threatening him by referencing his children by name. For instance, in an email sent to opposing counsel after he moved for sanctions, Jaye calls him a “complete and total illegal, criminal ass,” a “shyster,” and a “piece of shit, scumbag lawyer.” She also accuses him of “pull[ing] this shit in the prior case,” of using “teeny-bopper tactics,” and of “trying to hide your illegal and criminal acts behind these monstrous filings whereby you cry and bemoan my conduct as a basis for relief in the law.” Jaye further states that “if there is any justice, the world will come crashing down on YOU …” and she “hopes [that his children, who Jaye names] are in the prime of their life to see you dragged out in handcuffs when it does!” Notice of Mot. (filed Nov. 27, 2018). Moreover, in a submission opposing the appellees’ motion for sanctions, Jaye accuses opposing counsel of “illegal conduct,” calling him, *inter alia*, a “thief,” “embezzler,” “extortionist,” “shyster,” and “conman.” Opp’n, p. 2 (filed on Dec. 7, 2018). Jaye also claims that he “committed perjury and obstructed justice.” *Id.* at 5. Jaye further claims that he is a “a liar and a perjurer” who “uses his law license to steal.” Mot. to Suspend or Disbar, p. 3, 8 (filed on Dec. 7, 2018); see also Letter Br., p. 4 (filed on Jan. 16, 2019). But she offers no specific evidence in support of those allegations, which appear baseless, vindictive, and abusive.

Jaye also has sustained her attacks on state and federal judges and clerks. For example, in the motion that she filed on November 16, 2018, Jaye complained of “the obvious fraud by yet another judge (Judge Kugler).” In that motion, Jaye further claimed that “the court and its staff have rigged the filings in order to rig the outcomes.” Moreover, Jaye has alleged that “judges and clerks alike have ensured my rights have been violated … [a]nd they have proceeded on this time-wasting venture of fraud, lies and deception to rig the outcome as advocates for the defendants.” Letter Br., p. 3 (filed on Jan. 16, 2019). More recently, Jaye stated that judges of this Court “sit back on your useless, corrupt asses and refuse to rule to undo any of the illegal acts you have done ….” Letter, p. 2 (filed on May 22, 2019). She also personally attacks District Court judges, calling Judge Shipp an “idiot” and “filth,” and Judge Kugler “scum.” *Id.* at p. 3.

Based on Jaye’s failure to adhere to our prior admonitions, and her continued, unwarranted attacks on opposing counsel, judges, and court staff, we impose on Jaye a monetary fine of \$1000, payable immediately. See Coghlan v. Starkey, 852 F.2d 806,

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808, 817 (5th Cir. 1988) (noting that courts of appeals have authority to impose sanctions). The Clerk is instructed to not accept any further filings from Jaye until the fine is paid in full. After the fine is fully paid, Jaye may file only one petition for rehearing in this appeal. We also direct the Clerk not to accept for filing in this case any other documents from her. See In re Oliver, 682 F.2d 443, 445 (3d Cir. 1982) (recognizing power to issue orders to restrict the filing of meritless pleadings under the All Writs Act, 28 U.S.C. § 1651(a)). Finally, given the abusive and frivolous nature of Jaye's submissions, the appellees need not file any responsive documents in any future appeal filed by Jaye unless specifically directed to do so by the Court.

By the Court,

s/ Richard L. Nygaard
Circuit Judge

Dated: August 1, 2019
CLW/cc: Ms. Chis Ann Jaye
All Counsel of Record