

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 19-2293

Dannez W. Hunter

Plaintiff - Appellant

v.

Keith Rupert Murdoch; James Rupert Murdoch; Lachlan K. Murdoch; Commonwealth of Australia; Twentieth Century Fox Film Corporation; Fox Entertainment Group, LLC; Twenty-First Century Fox, Inc.; Fox Broadcasting Company; Murdoch Family Trust; Time Warner, Inc.; Jeff Bewkes; William P. Barr; Paul T. Cappuccio; Warner Bros. Entertainment, Inc.; Warner Media, LLC; Gary L. Ginsberg; Jessica Einhorn; Kate Chilton; Paul Watcher AT&T Inc.; The Walt Disney Company; Barack Obama; Hillary Clinton; William J. Clinton; Eric Holder; Covington and Burling LLP; Terrell McSweeney; Andrew A. Ruffino; Thomas O. Barnett; Anne Y. Lee; James Dean; Megan Gerking; United States Department of Justice; Kathryn Ruemmler; Latham & Watkins, LLP; Tony West; Democratic National Committee; Republican National Committee; James Comey; Christopher Wray; Federal Bureau of Investigation; U.S. Federal Trade Commission; Joseph J. Simons; Michael Pompeo; U.S. Secretary of State; U.S. House of Representatives; Assistant U.S. Attorney, Minneapolis; State of Minnesota; Lori Swanson; Attorney General of the State of Minnesota; Jonathan D. Moler; Mary Hannon; Roger Wollman; Raymond Gruender; Bobby E. Shepherd; Joel Flaum; David Hamilton; Lavenski R. Smith; Edmond Chang; Ruben Castillo; Barbara Dacy; Katherine M. Brennan; David S. Doty; Leo I. Brisbois; Hildy Bowbeer; Joan N. Ericksen; Michael J. Davis, Honorable; Diane B. Bratvold; James B. Florey; Judge Edward J. Cleary; Christopher T. Kalla; Douglas Turner; Hanbery & Turner, P.A.; Leah Chalmers Janus; Fredrikson & Byron, P.A.; John Duffy; Jeff Von Feldt; Jenel Sauber; Jane Anderson; Pondview Townhomes of Woodbury Limited Partnership; Kevin Lindsey; Minnesota Department of Human Rights; City of Saint Paul; Washington County CDA; Dean N. Panos; Jason M. Bradford; Anthony M. Basich; Julie A. Shepard; Jenner & Block, LLP; CNN America, Inc.; Duffy Development Company, Inc.; John Does, 1 through 100

Defendants - Appellees

Appeal from U.S. District Court for the District of Minnesota
(0:19-cv-00590-NEB)

JUDGMENT

Before COLLOTON, ERICKSON, and KOBES, Circuit Judges.

This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed. See Eighth Circuit Rule 47A(a).

The motion to file an overlength brief, motion to set briefing schedule, motion to show cause, motion to file an objection due to fraud upon the court, motion and request for leave of court to take judicial notice of adjudicative facts, motion and request for leave of court to file judicial notice, motion and request for leave of court to enter confidential invoice and to expose foreign terrorists, and redacted motion and request for leave of court to enter confidential invoice and to expose foreign terrorists filed by Appellant Mr. Dannez W. Hunter are denied as moot. The motion and request for leave of court to take judicial notice of the admissions published in the United States Sentencing Commission Primer filed by Appellant Mr. Dannez W. Hunter is denied.

September 04, 2019

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DANNEZ HUNTER,

Case No. 19-CV-590 (NEB/DTS)

Plaintiff,

v.

ORDER

KEITH RUPERT MURDOCH, ET AL.,

Defendants.

This matter is before the court upon new objections filed by pro se plaintiff Dannez Hunter following the acceptance of the report and recommendation and closure of this case. The Court has denied Hunter's application to proceed in forma pauperis [ECF No. 2] and his motions filed after the R&R [ECF Nos 14 and 24]. The filings are difficult to discern, but they appear to again challenge the underlying dismissal order. This matter is closed, and the new objections are improper.

Accordingly, IT IS HEREBY ORDERED that;

1. Dannez Hunter's late objections to the acceptance of the report and recommendation will not be considered. Objections were due April 4, 2019.

These new objections were filed well after the stated due date.

2. Hunter is prohibited from filing additional papers in this case absent express permission from the Court; and

3. The Clerk of Court is directed to refuse any documents to be filed in this case submitted by Hunter unless he has applied for and has received permission from the Court.

Dated: May 17, 2019

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge

Docket 34

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DANNEZ HUNTER,

Case No. 19-CV-590 (NEB/DTS)

Plaintiff,

v.

ORDER ON REPORT AND
RECOMMENDATION

KEITH RUPERT MURDOCH, et al.,

Defendants.

Plaintiff Dannez Hunter filed a 254-page complaint against numerous individuals and entities [ECF No. 1] as well as an application to proceed *in forma pauperis*. [ECF No. 2] In his March 21, 2019 Report and Recommendation ("R&R"), United States Magistrate Judge David T. Schultz recommended denying the application and dismissing the case under 28 U.S.C. § 1915(e)(2)(B) and Rule 8 of the Federal Rules of Civil Procedure because the complaint was overlong and frivolous. [ECF No. 6.]

Hunter submitted an objection. [ECF No. 8]. This Court reviews *de novo* those portions of the R&R to which objections are made and "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C); see D. Minn. L.R. 72.2(b)(3). Based on a *de novo* review of the record, IT IS HEREBY ORDERED THAT:

1. The Court ACCEPTS the R&R [ECF No. 6];

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2. Hunter's application to proceed *in forma pauperis* [ECF No. 2] is DENIED;
3. Hunter's motions filed after the R&R [ECF Nos. 14 and 24] are DENIED; and
4. The action [ECF No. 1] is DISMISSED WITHOUT PREJUDICE.

Dated: May 1, 2019

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge

Docket 30

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dannez Hunter,
an individual,

Case No. 19-cv-0590 (NEB/DTS)

Plaintiff,

REPORT AND RECOMMENDATION

v.

Keith Rupert Murdoch, et al.,

Defendants.

Plaintiff Dannez Hunter did not pay the filing fee for this action, but instead applied for *in forma pauperis* ("IFP") status. See Docket No. 2. That IFP application is now before the Court and must be reviewed before any other action may be taken in this matter.

After review of the IFP application and accompanying materials, the Court concludes that Hunter qualifies financially for IFP status. That said, an IFP application will be denied, and a case dismissed, where an IFP applicant submits a complaint that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. See 28 U.S.C. § 1915(e)(2)(B); *Atkinson v. Bohn*, 91 F.3d 1127, 1128 (8th Cir. 1996) (per curiam); *Carter v. Schafer*, 273 Fed. App'x 581, 582 (8th Cir. 2008) (per curiam) ("[C]ontrary to plaintiffs' arguments on appeal, the provisions of 28 U.S.C. § 1915(e) apply to all persons proceeding IFP and are not limited to prisoner suits, and the provisions allow dismissal without service."). Pro se complaints are to be construed liberally, but they still must allege sufficient facts to support the claims advanced. See *Stone v. Harry*, 364 F.3d 912, 914 (8th Cir. 2004).

This action cannot go forward for two reasons. First, the complaint is overlong. Rule 8(a)(2) of the Federal Rules of Civil Procedure requires that a complaint include “a short and plain statement of the claim showing that the pleader is entitled to relief.” “The words ‘short and plain’ are themselves short and plain, and they mean what they say: A complaint must be concise, and it must be clear. Rule 8 was not promulgated to provide helpful advice; it has the force of law, and it must be followed.” *Gurman v. Metro Housing and Redevelopment Authority*, 842 F. Supp. 2d 1151, 1152 (D. Minn. 2011). Rule 8(d) reinforces the point when it provides “[e]ach allegation must be simple, concise and direct.” Fed. R. Civ. P. 8(d)(1). By no reasonable definition can Hunter’s complaint be called “short and plain” or “simple, concise and direct.” At approximately 75,000 words, Hunter’s complaint is longer than William Shakespeare’s *Romeo and Juliet*, *King Lear*, and *Macbeth* combined. Appended to the complaint are 118 pages of exhibits, some of which include allegations and claims that go still further beyond the scope of the already bloated complaint. Seldom are pleadings less compliant with Rules 8(a)(2) and 8(d)(1) than what Hunter has submitted. This is reason alone to recommend dismissal of this action. See *Olson v. Little*, 978 F.2d 1246 (8th Cir. 1992) (affirming the district court’s *sua sponte* dismissal of a complaint under Rule 8).

Not only is Hunter’s complaint too long, it is also frivolous. Hunter seeks to assert countless claims, most of them arising under federal criminal statutes, against sundry defendants, including the Australian government, two former Presidents of the United States, the Federal Bureau of Investigation, the U.S. Federal Trade Commission, a dozen or so federal and state-court judges, several law firms, two property-development companies, and many, many others. The allegations encompassing these disparate defendants range from the merely conspiratorial to the outright delusional. (For example,

throughout the complaint, Hunter describes these defendants in terms such as "Seditious Terrorist.") Non-frivolous legal claims cannot be built atop such fantastic allegations. See *Neitzke v. Williams*, 490 U.S. 319, 327-28 (1989). The action should be dismissed.

One matter merits further comment. Hunter's conduct during the course of prior litigation has merited the imposition of filing restrictions *within* those cases. To this point, however, Hunter has not been restricted from filing new lawsuits in this District, despite having filed several other actions that were, like this action, deemed frivolous upon initial review. See, e.g., *Hunter v. United States House of Representatives*, No. 18-CV-0327 (JNE/HB) (D. Minn.). Hunter is now being put on notice: Although all litigants must be afforded access to the courts, that right does not extend to the filing of baseless or otherwise frivolous complaints. Should Hunter persist in filing frivolous lawsuits, it may become necessary to impose further restrictions upon Hunter's ability to initiate new proceedings while unrepresented by counsel.

RECOMMENDATION

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY RECOMMENDED THAT:

1. This matter be DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) and Rule 8 of the Federal Rules of Civil Procedure.

2. The application to proceed *in forma pauperis* of plaintiff Dannez Hunter [Docket No. 2] be DENIED.

Date: March 21, 2019

s/David T. Schultz
DAVID T. SCHULTZ
United States Magistrate Judge