

Appendix B

United States Court of Appeals
for the Fifth Circuit



No. 22-20214

A True Copy
Certified order issued Jun 15, 2022

Lyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

MICHAEL G. PETERS,

Plaintiff—Appellant,

versus

LISA BENGE MICHALK,

Defendant—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:22-CV-1084

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of June 15, 2022,
for want of prosecution. The appellant failed to timely pay docketing fee.

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit

A handwritten signature of Lyle W. Cayce in black ink, located below his printed name.

By: _____
Shawn D. Henderson, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

Appendix "A"

United States District Court
Southern District of Texas

ENTERED

April 06, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MICHAEL G. PETERS,
TDCJ #2019190,

Plaintiff,

v.

LISA B. MICHALK,

Defendant.

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CIVIL ACTION NO. H-22-1084

ORDER OF DISMISSAL

State inmate Michael G. Peters (TDCJ #2019190; former Montgomery County Inmate #551534) has filed a Prisoner's Civil Rights Complaint under 42 U.S.C. § 1983 ("Complaint") (Docket Entry No. 1) against State District Judge Lisa Michalk, who presides over the 221st District Court in Montgomery County, Texas. Peters is a well-known abusive litigant, who is "**precluded** from filing any new case in this District unless he first obtains written permission from a Judge of this District." Peters et al. v. Texas Medical Board, Civil No. H-22-0059, Docket Entry No. 16, p. 1. Because it is evident that the pending Complaint is both frivolous and malicious for purposes of the Prison Litigation Reform Act ("PLRA"), 28 U.S.C. § 1915A(b), this court declines to grant permission for Peters to proceed.

Accordingly, the court **ORDERS** as follows:

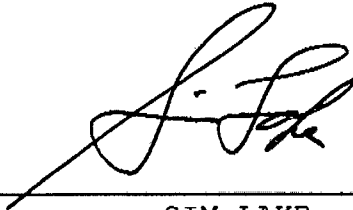
1. This civil action filed by Michael G. Peters is
DISMISSED with prejudice.

2. The Application to Proceed In Forma Pauperis filed by Peters (Docket Entry No. 2) is **DENIED**. As Peters well knows, he is ineligible to proceed without prepayment of the filing fee. See 28 U.S.C. § 1915(g).

3. The court **CERTIFIES** that any appeal would not be in good faith for purposes of 28 U.S.C. § 1915(a)(3).

The Clerk will provide copies of this Order to the plaintiff and to the TDCJ - Office of the General Counsel, Capitol Station, P.O. Box 13084, Austin, Texas, 78711, fax: 512-936-2159.

SIGNED at Houston, Texas, on this 6th day of April, 2022.

A handwritten signature in black ink, appearing to read 'Sim Lake', is written over a horizontal line.

SIM LAKE
SENIOR UNITED STATES DISTRICT JUDGE

4. This is a **FINAL JUDGMENT**.

The Clerk shall enter this Order and provide a copy to the parties of record.

SIGNED at Houston, Texas, this 5th day of April 2022.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', is written over a horizontal line.

ANDREW S. HANEN
UNITED STATES DISTRICT JUDGE