

S.D.N.Y. – N.Y.C.
21-cv-8038
Swain, 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 20th day of July, two thousand twenty-two.

Present:

William J. Nardini,
Eunice C. Lee,
Myrna Pérez,
Circuit Judges.

Larry A. Anderson,

Plaintiff-Appellant,

v.


22-284

GM Motor & Shareholders, et al.,

Defendants-Appellees.

Appellant, pro se, moves for in forma pauperis status and other relief, construed as a motion for summary reversal. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see* 28 U.S.C. § 1915(e).

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk of Court


The signature is written in cursive over a circular court seal. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS".

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FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LARRY A. ANDERSON,

Plaintiff,

-against-

GM MOTOR & SHAREHOLDERS; MARY
BARRA; MARK REUSS; DAN AMMAM,

Defendants.

21-CV-8038 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this Court a substantially similar complaint against Defendants, in which he asserted the same claims. That complaint, *Anderson v. GM Motors & Shareholders*, ECF 1:21-CV-1006, 2, was assigned to Judge Jesse M. Furman as related to the multidistrict litigation, *In General Motors Ignition Switch Litigation*, 14-MD-2543 (JMF), and is presently pending. As this complaint raises the same claims against the same defendants, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket case number 21-CV-1006 (JMF).

CONCLUSION

Plaintiff's complaint is dismissed without prejudice as duplicative. The Clerk of Court is directed to terminate all other pending matters.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore in *forma pauperis* status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is also directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: January 7, 2022
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LARRY A. ANDERSON,

Plaintiff,

-against-

GM MOTOR & SHAREHOLDERS; MARY
BARRA; MARK REUSS; DAN AMMAM,

Defendants.

21-CV-8038 (LTS)

CIVIL JUDGMENT

Pursuant to the order issued January 7, 2022, dismissing the complaint,

IT IS ORDERED, ADJUDGED AND DECREED that the complaint is dismissed without prejudice to the pending action under case number 21-CV-1006 (JMF).

The Court certifies, pursuant to 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: January 7, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

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