

FILED

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

APR 20 2023

KEVIN W. DUNIGAN,

Plaintiff-Appellant,

v.

RAYBON C. JOHNSON, Warden; et al.,

Defendants-Appellees.

No. 22-56152

D.C. No.

2:22-cv-07216-ODW-E

Central District of California,  
Los Angeles

ORDER

Before: PAEZ, WATFORD, and FORREST, Circuit Judges.

Upon a review of the record and the opening brief filed on December 28, 2022, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry Nos. 7 & 8), *see* 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

All other pending motions are denied as moot.

No further filings will be considered.

**DISMISSED.**

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Dunigan v. Raybon C. Johnson et al Notice of Document Discrepancies and Order - Rejecting  
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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

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**Case Name:** Kevin Dunigan v. Raybon C. Johnson et al

**Case Number:** 2:22-cv-07216-ODW-E

**Filer:** Kevin Dunigan

**WARNING: CASE CLOSED on 11/14/2022**

**Document Number:** 10

**Docket Text:**

**NOTICE OF DISCREPANCY AND ORDER:** by Judge Otis D. Wright, II, ORDERING Motion  
to Have Delinquent Filings Investigated submitted by Plaintiff Kevin Dunigan received on  
11/15/22 is not to be filed but instead rejected. Denial based on: Case terminated. See Minute  
Order filed 11/14/2022. (rolm)

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Dunigan v. Raybon C. Johnson et al Order Dismissing Case Content-Type: text/html

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**Case Name:** Kevin Dunigan v. Raybon C. Johnson et al

**Case Number:** 2:22-cv-07216-ODW-E

**Filer:**

**WARNING: CASE CLOSED on 11/14/2022**

**Document Number:** 9

**Docket Text:**

MINUTES (IN CHAMBERS) by Judge Otis D. Wright, II. As of todays date, Plaintiff has not paid the filing fee, nor has Plaintiff filed a Request to Proceed without Prepayment of Filing Fees. Accordingly, the action is DISMISSED. All pending motions are DENIED AS MOOT, and any remaining dates and deadlines are VACATED. The Clerk of the Court shall close the case. IT IS SO ORDERED. Case Terminated. Made JS-6. (rolm)

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF DOCUMENT DISCREPANCIES

To:  U.S. District Judge /  U.S. Magistrate Judge Wright

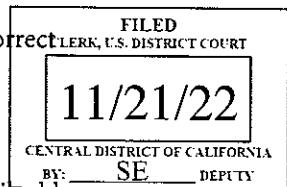
From: Sheila English, Deputy Clerk Date Received: November 21, 2022

Case No.: CV 22-7216 ODW-E Case Title: Kevin Dunigan v. Raybon C. Johnson, et al.

Document Entitled: Motion For all Sovereign Relief

Upon the submission of the attached document(s), it was noted that the following discrepancies exist:

<input type="checkbox"/> Local Rule 5-4.1	Documents must be filed electronically
<input type="checkbox"/> Local Rule 6-1	Written notice of motion lacking or timeliness of notice incorrect
<input type="checkbox"/> Local Rule 7-19.1	Notice to other parties of ex parte application lacking
<input type="checkbox"/> Local Rule 7.1-1	No Certification of Interested Parties and/or no copies
<input type="checkbox"/> Local Rule 11-3.1	Document not legible
<input type="checkbox"/> Local Rule 11-3.8	Lacking name, address, phone, facsimile numbers, and e-mail address
<input type="checkbox"/> Local Rule 11-4.1	No copy provided for judge
<input type="checkbox"/> Local Rule 11-6	Memorandum/brief exceeds 25 pages
<input type="checkbox"/> Local Rule 11-8	Memorandum/brief exceeding 10 pages shall contain table of contents
<input type="checkbox"/> Local Rule 15-1	Proposed amended pleading not under separate cover
<input type="checkbox"/> Local Rule 16-7	Pretrial conference order not signed by all counsel
<input type="checkbox"/> Local Rule 19-1	Complaint/Petition includes more than 10 Does or fictitiously named parties
<input type="checkbox"/> Local Rule 56-1	Statement of uncontested facts and/or proposed judgment lacking
<input type="checkbox"/> Local Rule 56-2	Statement of genuine disputes of material fact lacking
<input type="checkbox"/> Local Rule 83-2.5	No letters to the judge
<input type="checkbox"/> Fed. R. Civ. P. 5	No proof of service attached to document(s)
<input checked="" type="checkbox"/> Other: <u>Case terminated. See Minute Order filed 11/14/2022.</u>	



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ORDER OF THE JUDGE/MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

The document is to be filed and processed. The filing date is ORDERED to be the date the document was stamped "received but not filed" with the Clerk. Counsel\* is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83-7.

Date

U.S. District Judge / U.S. Magistrate Judge

The document is NOT to be filed, but instead REJECTED, and is ORDERED returned to counsel.\* Counsel\* shall immediately notify, in writing, all parties previously served with the attached documents that said documents have not been filed with the Court.

Date November 21, 2022

U.S. District Judge *Wright*

\* The term "counsel" as used herein also includes any pro se party. See Local Rule 1-3.

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**CENTRAL DISTRICT OF CALIFORNIA**

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**Case Name:** Kevin Dunigan v. Raybon C. Johnson et al

**Case Number:** 2:22-cv-07216-ODW-E

**Filer:** Kevin Dunigan

**WARNING: CASE CLOSED on 11/14/2022**

**Document Number:** 11

**Docket Text:**

**NOTICE OF DISCREPANCY AND ORDER:** by Judge Otis D. Wright, II, ORDERING Motion  
For all Sovereign Relief submitted by Plaintiff Kevin Dunigan received on 11/21/2022 is not to be  
filed but instead rejected. Denial based on: Case terminated. See Minute Order 11/14/2022. (es)

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Dunigan v. Raybon C. Johnson et al Notice of Reference to US Magistrate Judge (CV-25) - optional  
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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

**Notice of Electronic Filing**

The following transaction was entered on 10/6/2022 at 4:30 PM PDT and filed on 10/6/2022

**Case Name:** Kevin Dunigan v. Raybon C. Johnson et al

**Case Number:** 2:22-cv-07216-ODW-E

**Filer:**

**Document Number:** 7

**Docket Text:**

**NOTICE OF ASSIGNMENT** to District Judge Otis D. Wright, II and referred to Magistrate  
Judge Charles F. Eick. (car)

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF DOCUMENT DISCREPANCIES

To:  U.S. District Judge /  U.S. Magistrate Judge Wright

From: Sheila English, Deputy Clerk Date Received: November 21, 2022

Case No.: CV 22-7216 ODW (E) Case Title: Kevin Dunigan v. Raybon Johnson, et al.

Document Entitled: Motion for Leave to File Motion for Emancipation

Upon the submission of the attached document(s), it was noted that the following discrepancies exist:

- Local Rule 5-4.1 Documents must be filed electronically
- Local Rule 6-1 Written notice of motion lacking or timeliness of notice incorrect
- Local Rule 7-19.1 Notice to other parties of ex parte application lacking
- Local Rule 7.1-1 No Certification of Interested Parties and/or no copies
- Local Rule 11-3.1 Document not legible
- Local Rule 11-3.8 Lacking name, address, phone, facsimile numbers, and e-mail address
- Local Rule 11-4.1 No copy provided for judge
- Local Rule 11-6 Memorandum/brief exceeds 25 pages
- Local Rule 11-8 Memorandum/brief exceeding 10 pages shall contain table of contents
- Local Rule 15-1 Proposed amended pleading not under separate cover
- Local Rule 16-7 Pretrial conference order not signed by all counsel
- Local Rule 19-1 Complaint/Petition includes more than 10 Does or fictitiously named parties
- Local Rule 56-1 Statement of uncontested facts and/or proposed judgment lacking
- Local Rule 56-2 Statement of genuine disputes of material fact lacking
- Local Rule 83-2.5 No letters to the judge
- Fed. R. Civ. P. 5 No proof of service attached to document(s)
- Other: Case terminated. See Minute Order filed 11/14/2022.

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ORDER OF THE JUDGE/MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

- The document is to be filed and processed. The filing date is ORDERED to be the date the document was stamped "received but not filed" with the Clerk. Counsel\* is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83-7.

\_\_\_\_\_  
Date

\_\_\_\_\_  
U.S. District Judge / U.S. Magistrate Judge

- The document is NOT to be filed, but instead REJECTED, and is ORDERED returned to counsel.\* Counsel\* shall immediately notify, in writing, all parties previously served with the attached documents that said documents have not been filed with the Court.

\_\_\_\_\_  
December 1, 2022

\_\_\_\_\_  
U.S. District Judge / U.S. Magistrate Judge

\* The term "counsel" as used herein also includes any pro se party. See Local Rule 1-3.

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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Case Name: Kevin Dunigan v. Raybon C. Johnson et al

Case Number: 2:22-cv-07216-ODW-E

Filer: Kevin Dunigan

**WARNING: CASE CLOSED on 11/14/2022**

Document Number: 12

**Docket Text:**

**NOTICE OF DISCREPANCY AND ORDER:** by Judge Otis D. Wright, II, ORDERING Motion  
for Leave to file Motion for Emancipation submitted by Plaintiff Kevin Dunigan received on  
11/21/22 is not to be filed but instead rejected. Denial based on: Case terminated. See Minute  
Order filed 11/14/22. (lom)

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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

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**Case Name:** Kevin Dunigan v. Raybon C. Johnson et al

**Case Number:** 2:22-cv-07216-ODW-E

**Filer:** Kevin Dunigan

**WARNING: CASE CLOSED on 11/14/2022**

**Document Number:** 14

**Docket Text:**

**FILING FEE LETTER issued as to Plaintiff Kevin Dunigan, re Notice of Appeal to 9th Circuit  
Court of Appeals [13]. (mat)**

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