

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

December 8, 2023

Before
FRANK H. EASTERBROOK, *Circuit Judge*
THOMAS L. KIRSCH II, *Circuit Judge*
DORIS L. PRYOR, *Circuit Judge*

No. 23-3266	IN RE: JOSHUA P. LINDSEY, Petitioner
Petition for Writ of Mandamus	
District Court No: 1:20-cv-00444-SEB-TAB District Judge Sarah Evans Barker	

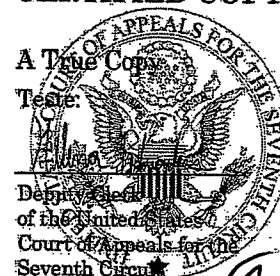
The following are before the court:

1. PETITIONER'S PETITION FOR WRIT OF MANDAMUS, filed on November 27, 2023, by the pro se petitioner.
2. PETITIONER'S MOTION TO PROCEED IN FORMA PAUPERIS, filed on November 27, 2023, by the pro se petitioner.

IT IS ORDERED that the petition for writ of mandamus and the motion are DENIED.

form name: c7_Order_3J (form ID: 177)

CERTIFIED COPY



(Appendix - A)

proceeds *in forma pauperis*, such that no monetary sanction would have an impact. *See Rivera v. Drake*, 767 F.3d 685, 687 (7th Cir. 2014). The Court also considered—and will again consider in the face of any future willful false statements from Mr. Lindsey—referring such false statement(s) for prosecution of perjury. For now, however, the sanctions imposed will protect the Court's resources and other parties from Mr. Lindsey's abusive litigation practices and willful dishonesty. *See Martin v. Fowler*, 804 F. App'x 414 (7th Cir. 2020) (affirming imposition of filing bar as sanction for making a false statement on request to recruit counsel).

V. Conclusion

IT IS ORDERED that:

The law and facts are on the side of the defendant. Mr. Lindsey did not exhaust his available administrative remedies prior to filing this civil action on February 7, 2020.

This action is DISMISSED with prejudice as a sanction for Mr. Lindsey's continued dishonesty and abusive litigation tactics.

Mr. Lindsey is barred from filing any papers in this Court (with the exception of habeas cases and a Notice of Appeal) until he pays the district court filing fees he owes to this Court in the amount of Two Thousand Six Hundred and Fifty Dollars (\$2,650.00). After two years, Mr. Lindsey may seek modification or rescission of this order.

IT IS SO ORDERED.

Date: 3/10/2021

Sarah Evans Barker
SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOSHUA LINDSEY,

Plaintiff,

v.

NOLL,

Defendant.

No. 1:20-cv-00444-SEB-TAB

FINAL JUDGMENT

The Court now enters FINAL JUDGMENT. The action is DISMISSED with prejudice as a sanction for Mr. Lindsey's continued dishonesty and abusive litigation tactics. Mr. Lindsey is barred from filing any papers in this Court (with the exception of habeas cases and a Notice of Appeal) until he pays the district court filing fees he owes to this Court in the amount of Two Thousand Six Hundred and Fifty Dollars (\$2,650.00). After two years, Mr. Lindsey may seek modification or rescission of this order.

Date: 3/31/2021

↑

Sarah Evans Barker

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Distribution:

JOSHUA LINDSEY
112177
PENDLETON - CF
PENDLETON CORRECTIONAL FACILITY
Electronic Service Participant - Court Only

*Need Doc 87
Filed 3/10/21*

(Appendix C)
BARKER

(A)

(1)
(PAGE # 22)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOSHUA LINDSEY,

Plaintiff,

v.

NOLL,

Defendant.

No. 1:20-cv-00444-SEB-TAB

ORDER CONTINUING FILING RESTRICTIONS

Mr. Lindsey was sanctioned for his continued dishonesty and abusive litigation practices on March 10, 2021. Dkt. 87. He was barred from filing any papers in this Court (with the exception of habeas cases and a Notice of Appeal) until he pays the district court filing fees owed to this Court in the amount of Two Thousand Six Hundred and Fifty Dollars (\$2,650.00). After two years, Mr. Lindsey was permitted to seek modification or rescission of this order. Dkt. 89 (Judgment entered March 31, 2021).

Two years have now passed, and Mr. Lindsey seeks rescission of the sanction order. Dkt. 100. Mr. Lindsey explains that he is indigent and unable to pay the sanction. *Id.* at 6. He "swears under the penalty of federal perjury charges that Lindsey will never again file any type of fraudulent documents with any U.S. Court." *Id.* at 11. He states that he has requested correctional staff to review his documents before filing to make the court feel comfortable. *Id.* at 8. In support he provides the following attachment:

(Appendix - 1)
(A) (B) (C)
(EXHIBIT 1) (C)

(4) (6) (1)
(22) (C)

(PAGE # 22)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JOSHUA P. LINDSEY,

Plaintiff,

v.

MARTIAL KNIESER,

Defendant.

No. 1:21-cv-00671-JRS-DML

**ORDER DIRECTING CLERK TO STRIKE
DOCUMENTS AND RETURN THEM UNFILED**

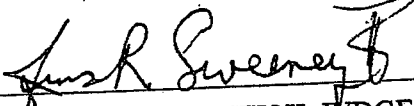
Plaintiff Joshua Lindsey has not complied with the sanction order issued in another matter on March 10, 2021, which bars him from filing any papers in this Court (with the exception of habeas cases and a Notice of Appeal) until he pays the district court filing fees he owes to this Court in the amount of Two Thousand Six Hundred and Fifty Dollars (\$2,650.00). *See Lindsey v. Noll*, 1:20-cv-00444-SEB-TAB (S.D. Ind. Mar. 10, 2021), dkt. 87. In accordance with that order, the clerk is directed to strike from the docket and return unfiled all of the plaintiff's filings initiating this action. The clerk is directed to void any file stamp from this Court on the documents, terminate all pending motions, and close this action on the docket.

IT IS SO ORDERED.

Date: 3/19/2021

Distribution:

JOSHUA P. LINDSEY
112177
PENDLETON - CF
PENDLETON CORRECTIONAL FACILITY
Electronic Service Participant - Court Only


JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

(Appendix E)
~~(2021-03-19)~~

(20)

2

~~(PROHIBITED)~~

April 8, 2023

William P. France
Correctional Careworker
Pendleton Correctional Facility
4430 Reformatory Rd
Pendleton, IN 46369

To whom it may concern:

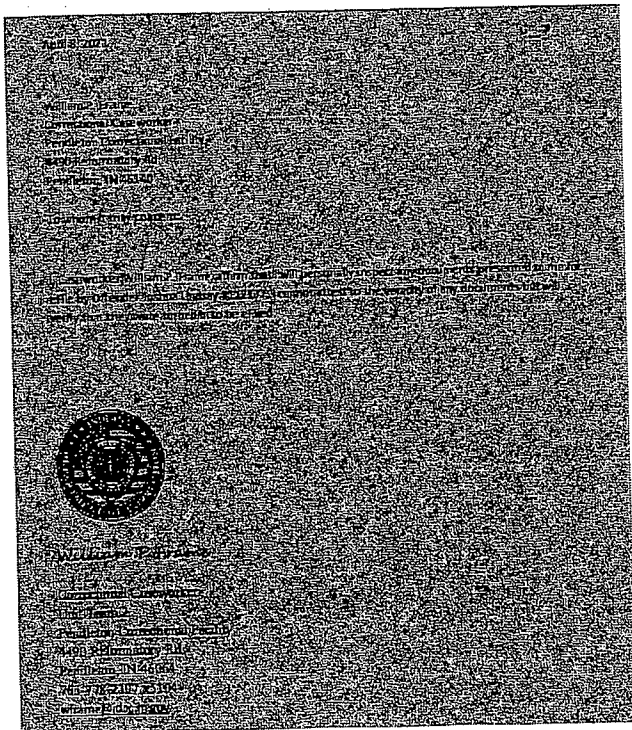
I, Careworker William P. France, affirm that I will personally inspect any documents presented to me for
entry by Offender Joshua Lindsey #1122477.



William P. France

Correctional Careworker
Unit Team 2
Pendleton Correctional Facility
4430 Reformatory Rd
Pendleton, IN 46369
765-778-2107 x5106
wfrance@idoc.in.gov

Dkt. 100 at 9. However, this document was previously submitted by Mr. Lindsey and has been materially altered in an attempt to mislead the Court.



Dkt. 91 at 5.

(Appendix - D)

6 2

~~EXHIBIT~~

(7) (2) (2) (3) (5)
(PAGE # 24) (10)

"Creating and submitting fake documents is a fraud upon the court. Lindsey has been permitted numerous opportunities to stop. However, he continues to create fake documents in case after case. Enough is enough." *Lindsey v. Corizon Health Medical Services, et al.*, 3:16-cv-94-JVB-CAN (N.D. Ind. Mar. 24, 2016), dkt. 7 at p. 3.

Mr. Lindsey's motions seeking to rescind the filing bar, dkts [99], [100], and [102], are **denied**. Mr. Lindsey is barred from filing any papers in this Court (with the exception of habeas cases and a Notice of Appeal) until he pays the district court filing fees he owes in the amount of Two Thousand Six Hundred and Fifty Dollars (\$2,650.00). After another two years, Mr. Lindsey may seek modification or rescission of this order.

IT IS SO ORDERED.

Date: 8/9/2023

Sarah Evans Barker

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Distribution:

JOSHUA LINDSEY
112177
PENDLETON - CF
PENDLETON CORRECTIONAL FACILITY
Electronic Service Participant - Court Only

All Electronically Registered Counsel

(7) (2) (2) (3) (5)
(24) (10) (3)
(Appendix D)

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