

W.D.N.Y.
12-cv-1129
Arcara, 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 11th day of October, two thousand seventeen.

Richard Isasi,

Petitioner,

v.

17-2723

Brian Fischer,

Respondent.

In June 2014, this Court entered a leave-to-file sanction against Petitioner Richard Isasi. *See Isasi v. O'Hagan Wolfe*, 2d Cir. 14-377, doc. 34. Petitioner, pro se, now seeks leave to appeal and in forma pauperis status. Upon due consideration, it is hereby ORDERED that the motion is DENIED because it does not represent a departure from Appellant's "prior pattern of vexatious filings." *In re Martin-Trigona*, 9 F.3d 226, 229 (2d Cir. 1993).

FOR THE COURT:
Lucille M. Carr, Chief Deputy Clerk


Lucille M. Carr

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:12-cv-01129-LGF

Isasi v. Fischer
Assigned to: Hon. Leslie G. Foschio
Case in other court: New York Eastern, 1:12-cv-05332
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 11/16/2012
Date Terminated: 03/29/2017
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner**Richard Isasi**

represented by **Richard Isasi**
98-A-1899
CLINTON CORRECTIONAL FACILITY
Box 2001
Dannemora, NY 12929
PRO SE

V.

Respondent**Brian Fischer**

Date Filed	#	Docket Text
10/19/2012	<u>1</u>	PETITION for Writ of Habeas Corpus , filed by Richard Isasi. (Attachments: # <u>1</u> Civil Cover Sheet) (Bowens, Priscilla) [Transferred from nyed on 11/16/2012.] (Entered: 11/07/2012)
10/19/2012	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Richard Isasi. (Bowens, Priscilla) [Transferred from nyed on 11/16/2012.] (Entered: 11/07/2012)
10/19/2012	<u>3</u>	MOTION to Appoint Counsel by Richard Isasi. (Bowens, Priscilla). [Transferred from nyed on 11/16/2012.] (Entered: 11/07/2012)
10/19/2012	<u>4</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent . The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Bowens, Priscilla) [Transferred from nyed on 11/16/2012.] (Entered: 11/07/2012)
11/08/2012	<u>5</u>	TRANSFER ORDER, The Court concluded that the EDNY is not the proper venue in which to file this action. Accordingly, pursuant to 28 USC sec. 1406(a), the Clerk of Court is directed to transfer this case to the USDC for the WDNY. Case transferred to District of WDNY. Original file, certified copy of transfer order, and docket sheet sent. ALL FILINGS ARE TO BE MADE IN THE TRANSFER COURT, DO NOT DOCKET TO THIS CASE. (Ordered by Judge Brian M. Cogan on 11/8/2012) Electronically Transferred to the WDNY. c/m by chambers (Galeano, Sonia) [Transferred from nyed on 11/16/2012.] (Entered: 11/08/2012)
11/16/2012	<u>6</u>	Case transferred in from District of New York Eastern; Case Number 1:12-cv-05332. (Entered: 11/16/2012)
07/01/2013	<u>7</u>	ORDER denying the <u>2</u> Motion to proceed in forma pauperis filed by Richard Isasi. Plaintiff has until July 30, 2013 to pay the filing fee of \$350.00 or this action will be dismissed. Signed by Hon. Richard J. Arcara on 6/28/2013. (DLC) (Entered: 07/01/2013)

		07/09/2013)
08/05/2013	<u>8</u>	NOTICE OF INTERLOCUTORY APPEAL by Richard Isasi. FEE STATUS: Fee Due. (DLC) (Entered: 08/07/2013)
08/07/2013	<u>9</u>	CLERKS CERTIFICATE filed and electronically sent to Court of Appeals. (DLC) (Entered: 08/07/2013)
07/20/2015		Remark pltf address updated from Southport CF to Clinton CF pursuant to info from pltf filed 7/17/15 (SSK) (Entered: 07/20/2015)
03/29/2017	<u>10</u>	JUDGMENT dismissing the action. Signed by Mary C. Loewenguth, Clerk of Court on 3/29/2017. (Copy mailed to plaintiff at Clinton Correctional Facility.) (KLH) (Entered: 03/29/2017)
05/18/2017	<u>11</u>	MOTION to Vacate <u>10</u> Judgment pursuant to Rule 60(b)(1) by Richard Isasi.(SG) (Entered: 05/19/2017)
05/22/2017	<u>12</u>	TEXT ORDER: Plaintiff Motion to Vacate the Judgment (11), entered March 29, 2017 (10), is DENIED as the motion is without merit. SO ORDERED. Issued by Hon. Richard J. Arcara on 5/22/17. (LAS) (Entered: 05/22/2017)
05/22/2017	<u>13</u>	Remark: A copy of text order 12 was mailed to Richard Isasi, 98-A-1899, CLINTON CORRECTIONAL FACILITY, Box 2001, Dannemora, NY 12929 (LAS) (Entered: 05/22/2017)
06/12/2017	<u>14</u>	MOTION for Reconsideration by Richard Isasi.(KLH) (Entered: 06/13/2017)
06/12/2017	<u>15</u>	NOTICE OF APPEAL as to <u>10</u> Judgment by Richard Isasi. FEE STATUS: IFP denied, fee due. (KLH) (Entered: 06/13/2017)
06/13/2017	<u>16</u>	CLERKS CERTIFICATE filed and electronically sent to Court of Appeals (Attachments: # <u>1</u> Record on Appeal)(KLH) (Entered: 06/13/2017)
06/15/2017	<u>17</u>	TEXT ORDER: Plaintiff's Motion for Reconsideration (14) is DENIED as the motion is without merit. A copy of this entry has been mailed to Richard Isasi, 98-A-1899, CLINTON CORRECTIONAL FACILITY, Box 2001, Dannemora, NY 12929. SO ORDERED. Issued by Hon. Richard J. Arcara on 6/15/17. (LAS) (Entered: 06/15/2017)
07/25/2017	<u>18</u>	MANDATE of USCA denying motion to appeal in forma pauperis as to <u>15</u> Notice of Appeal filed by Richard Isasi. (KLH) (Entered: 07/26/2017)
08/04/2017	<u>19</u>	MOTION for Rule 60(a) relief to correct clerical mistakes by Richard Isasi.(SG) (Entered: 08/08/2017)
08/10/2017	<u>20</u>	Letter from Richard Isasi, dated 8/7/2017, to Clerk. (KLH) (Entered: 08/10/2017)
08/15/2017	<u>21</u>	TEXT ORDER: Plaintiff's Motion for Rule 60(a) relief to correct clerical mistakes <u>19</u> is DENIED as the motion is without merit. A copy of this docket entry has been mailed to Richard Isasi, 98-A-1899, CLINTON CORRECTIONAL FACILITY, Box 2001, Dannemora, NY 12929. SO ORDERED. Issued by Hon. Richard J. Arcara on 8/15/17. (LAS) (Entered: 08/15/2017)
08/28/2017	<u>22</u>	NOTICE OF APPEAL as to 21 Order on Motion for Miscellaneous Relief, by Richard Isasi. FEE STATUS: IFP denied, fee due. (KLH) (Entered: 08/29/2017)
08/28/2017	<u>24</u>	Letter from Richard Isasi, dated 8/23/2017, to Clerk. (KLH) (Entered: 08/29/2017)
08/29/2017	<u>23</u>	CLERKS CERTIFICATE filed and electronically sent to Court of Appeals (Attachments: # <u>1</u> Index/Record)(KLH) (Entered: 08/29/2017)
10/05/2017	<u>25</u>	Letter from Richard Isasi, dated October 2, 2017, to Clerk. (KLH) (Entered: 10/05/2017)

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