

UNITED STATES SUPREME COURT

OFFICE OF THE CLERK

Martin J. Zielinski,

Plaintiff-Appellant,

Case No. 21-3042

v.

Appeal from the United States

Court of Appeals for the Seventh Circuit.

DIANE S. SYKES, Chief Judge

DIANE P. WOOD, Circuit Judge

MICHAEL Y. SCUDDER, Circuit Judge

WISCONSIN LABOR AND INDUSTRY

REVIEW COMMISSION, et al.,

Defendant-Appellees,

Appeal from the United States

District Court for the Eastern District of

Wisconsin. Case No. 17-cv-471

Lynn Adelman, Judge.

MOTION FOR EXTRA WORDS UNDER
RULE 33 (D) OF THE SUPREME COURT RULES


Martin J. Zielinski, Petitioner, Pro Se, Motions the Supreme Court for extra words, under Rule 33 (d) of the Supreme Court Rules, for the following reasons; The petitioner is suing 11 respondent's in this very complex case in which the petitioner is also accusing the district court of illegally denying the petitioner his legal right to add 6 more respondent's, who were,

directly involved in this conspiracy against the civil rights of the petitioner. The petitioner fully understands that the Supreme Court does not favor giving a petitioner extra words, and I respect that very much, but this complex case with this many respondents cannot possibly be explained in less than 9000 words or less. I have gone over the first draft from the company I hired to do the formatting correctly and I just cannot see what I could eliminate from the text. The elimination of any of the complex issues of explanation could make the petition misunderstood to the reviewing justices resulting in a loss of due process for the petitioner. The complexity of this case requires a full and complete explanation of the facts of the case along with all applicable law. Please have a little compassion for what the petitioner is trying to accomplish with the health disabilities I face, as fully explained in the petitioners Motion for extra time.(included with this filing) Right now the petitioner is approximately 2500 words over the limit. The petitioner prays that this Supreme is compassionate with the plight of this severely injured litigant, who could not find an attorney to take this case. The petitioner asks the Supreme Court how many cases do you see with this many guilty respondents?

Thank you very much for this very important consideration. I'm a very sick man fighting for his Constitutional rights. The petitioner cannot possibly explain this monstrosity of a case without the proper amount of words and I strongly believe that the due process rights the Constitution affords every citizen that right and would be a travesty of justice if denied.

The Petitioner wishes to direct this motion to the Chief Justice for the Seventh Circuit, Justice Amy Coney Barrett.

Sincerely, respectfully, and truthfully,

Appellant, Martin J. Zielinski, Pro Se,  30 December, 2022
9665 S. Nicholson Rd., Oak Creek, Wisconsin, 53154, 414-762-0195, knight25@wi.rr.com

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Martin J. Zielinski, Pro Se,

Petitioner,

v

Wisconsin labor and Industry Review Commission,(LIRC),

LIRC employee and law clerk, Ms. Sue Burns, AZCO INC., Travelers Ins. Co.,

AZCO and Travelers representative, Richard C. Davis, Shawn Stevens, Teirney Christenson, Bob

Menard, Dr. Warren Slaten, Wisconsin Department of Justice.

Respondents,

OFFICE OF THE CLERK

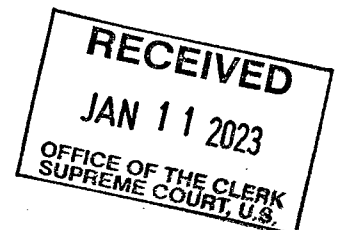
The petitioner, Martin J. Zielinski, Pro Se, asks the Clerk of Courts for the United States Supreme Court to please file Motions for extra time, under Rule 30, and extra words under Rule 33(d) along with the Certificate of service.

Respectfully and sincerely,

Petitioner, Martin J. Zielinski, pro Se,  30 December, 2022

9665 S. Nicholson Rd. Oak Creek, Wisconsin, 53154


414-762-0195 knight25@wi.rr.com



CERTIFICATE OF SERVICE

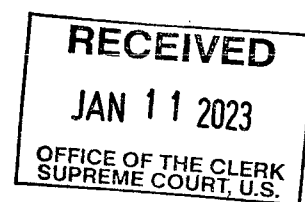
The petitioner, Martin J. Zielinski, Pro Se, swears that he mailed by first class 2 day mail through the post office in, Oak Creek, Wisconsin, 53154, the Motion for extra time and Motion for extra words, to the United States Supreme Court, Office of the Clerk of Courts, on the 30th of December, 2022. The petitioner also mailed two copies each to the attorneys of every respondent in this matter on this same date and by the same means.

Respectfully and Sincerely,

Petitioner, Martin J. Zielinski, Pro Se,  on the 30th of December 2022.

9665 S. Nicholson Rd., Oak Creek, Wisconsin, 53154

414-762-0195, knight 25@ wi.rr.com



NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of AppealsFor the Seventh Circuit
Chicago, Illinois 60604

Submitted June 10, 2022*

Decided June 13, 2022

BeforeDIANE S. SYKES, *Chief Judge*DIANE P. WOOD, *Circuit Judge*MICHAEL Y. SCUDDER, *Circuit Judge*

No. 21-3042

MARTIN J. ZIELINSKI,
*Plaintiff-Appellant,**v.*WISCONSIN LABOR AND INDUSTRY
REVIEW COMMISSION, et al.,
*Defendants-Appellees.*Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 17-cv-471

Lynn Adelman,
*Judge.***ORDER**

Martin Zielinski appeals from the denial of various motions he filed in the district court several years after the court entered judgment against him. The district

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

judge determined that these motions were frivolous and vexatious, and he imposed a filing bar on Zielinski. We affirm.

This appeal arises out of a federal suit that Zielinski filed in 2017 in connection with a worker's compensation settlement adjudicated in Wisconsin's state courts. The district judge dismissed several of Zielinski's claims on jurisdictional grounds and others for failure to state a claim. After Zielinski's attempt to amend his complaint failed to address the identified deficiencies, the judge—in December 2017—dismissed the complaint and entered a final judgment. Zielinski did not appeal. Instead, he peppered the court with wide-ranging motions and filings that the judge rejected in April 2018, May 2018, and March 2021, respectively, because Zielinski provided “no reason to relieve him from the final judgment or to reopen the case.”

In April 2021, Zielinski filed three more motions seeking to add civil rights claims, new parties, and “past filings” to the lawsuit. Several defendants opposed the motions as frivolous and baseless and requested sanctions against Zielinski.

The judge denied Zielinski's motions and barred him from further filing in the case. See *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995). The judge explained that even if Zielinski's motions were construed as an attempt to amend his complaint, any postjudgment amendment presupposed that a motion under Federal Rule of Civil Procedure 59(e) or 60(b) had first been granted—which was not the case here. The judge then granted the defendants' motions for sanctions because Zielinski hadn't responded to the motions and, even if he had, he continued to inundate the docket with frivolous filings that burdened both the defendants and the court.

On appeal Zielinski asserts that the judge erred by denying him an opportunity to add claims, join new parties, and submit evidence that had been excluded from the state courts' proceedings. But after entry of a final judgment, district courts may not permit amendment unless the judgment is set aside under Rule 59 or 60. See *Vesely v. Armslist LLC*, 762 F.3d 661, 666–67 (7th Cir. 2014). And Zielinski has failed multiple times to have the judgment set aside.

Zielinski also challenges the filing bar as unconstitutional. But he waived this challenge by not responding to the defendants' motions for sanctions. See *Ennin v. CNH Indus. Am., LLC*, 878 F.3d 590, 595 (7th Cir. 2017). Waiver aside, the judge acted well within his discretion to impose the filing restriction. Courts have the inherent authority to curb abusive and frivolous litigation by imposing filing restrictions that—as here—

No. 21-3042

Page 3

are tailored to the abuse. See *In re Anderson*, 511 U.S. 364, 365-66 (1994); *McCready v. eBay, Inc.*, 453 F.3d 882, 892 (7th Cir. 2006); *Mack*, 45 F.3d at 186.

We have reviewed Zielinski's remaining arguments and none has merit.

AFFIRMED