

ORIGINAL

In the United States Court of Federal Claims

No. 16-870

(Filed: October 6, 2016)

LOUIS DIOR AMIR,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

FILED

OCT - 6 2016

U.S. COURT OF
FEDERAL CLAIMS

ORDER

On September 1, 2016, the court denied plaintiff's application to proceed in forma pauperis in this case and instructed plaintiff to remit the full filing fee by October 3, 2016. See ECF No. 8. The court informed plaintiff that if such payment was not received timely, his complaint would be dismissed pursuant to Rule 41(b) of the Rules of the United States Court of Federal Claims (RCFC). Id.

On September 15, 2016, the court received certain correspondence from plaintiff dated September 9, 2016, which included the following two documents:

[An] Opposition to the United States Motion for Enlargement of Time to Respond to Plaintiff's Complaint filed on August 29, 2016;

and,

[An] Objection and Rejection of Patricia Campbell-Smith's Order Filed on August 31, 2016 Directing the Clerk of Court's Office to Strike Defendant's Motion for Enlargement of Time to Respond to Plaintiff's Complaint ECF No. 6 Filed August 29, 2016 Pursuant to Rule 46 of the Rules of the United States Court of Federal Claims.

On September 19, 2016, the court directed the Clerk of Court to return these documents to plaintiff unfiled because there is no provision in the court's rules for their filing. See EFC No. 9.

7011 0470 0002 5084 3525

On October 3, 2016, the court received the same correspondence from plaintiff. In addition, the court received a document from plaintiff styled:

[An] Objection and Rejection of the Clerk of Courts Constructive Refusal to File the Plaintiff Louis Dior Amir's Papers in Violation of Rule 5(d)(4) and in Violation of the 5th Amendment's Public Guaranteed Protection of Due Process of Law Where on September 15, 2016, the Plaintiff Delivered by Correspondence; 1. Objection and Rejection of Chief Judge Patricia Campbell-Smith's Order in Which She Found the Plaintiff's History of Filing Frivolous, Repetitive, and Vexatious Actions Pursuant to Rule 46 of the Rules of the United States Court of Federal Claims, 2. Objection and Rejection of Patricia Campbell-Smith's Order Filed on August 31, 2016 Directing the Clerk of Court's Office to Strike Defendant's Motion for Enlargement of Time to Respond to Plaintiff's Complaint ECF No. 6 Filed August 29, 2016 Pursuant to Rule 46 of the Rules of the United States Court of Federal Claims; and 3. Opposition to the United States Motion for Enlargement of Time to Plaintiff's Complaint Filed On August 29, 2016 Which Was Constructively Refused Filing by the Clerk of Courts Pursuant to Bad Faith Fraudulent Reasoning Which Stated 'Because There is No Provision in the Court's Rules for Filing of These Items, the Clerk of Courts is Directed to Return these Items to Plaintiff Unfiled', Where in Fact There are Provision in the Rules of the United States Court of Federal Claims for the Two Objections Pursuant to Rule 46 of the Rules of the United States Court of Federal Claims and the Opposition to the United States Motion Pursuant to Rule 7(b) of the Rules of the United States Court of Federal Claims.

This document is dated September 26, 2016.

With no provision for the filing of these documents, the court treats them as it did in its September 19, 2016 Order. The Clerk of Court again is directed to **RETURN** these items to plaintiff unfiled.

Further, because plaintiff has not remitted the filing fee in a timely matter as ordered, the case is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is directed to enter judgment accordingly.

With the dismissal of this case, the court finds plaintiff's correspondence dated September 26, 2016 is **MOOT**. Accordingly, the Clerk of Court is directed to **RETURN** this item to plaintiff unfiled.

IT IS SO ORDERED.


PATRICIA CAMPBELL-SMITH
Chief Judge