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JAN 23 1990

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY _____ DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

5 LINCOLN LANE ADDLEMAN, JR.,)
6 Plaintiff,)
7 v.)
8 WASHINGTON SENTENCING GUIDELINES)
9 COMMISSION, et al.,)
10 Defendants.)

CASE NO. C90-1WD

ORDER

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11 Plaintiff Addleman has submitted documents to this Court by
12 which he seeks to file an action pro se and in forma pauperis against
13 numerous defendants on the Washington Sentencing Guidelines Commis-
14 sion. The Court, having reviewed these documents, does hereby find
15 and ORDER:

16 (1) Plaintiff's request for leave to proceed in forma pauperis
17 is GRANTED.

18 (2) Plaintiff's claims are dismissed as frivolous, pursuant to
19 28 U.S.C. §1915(d). The plaintiff has submitted eight other com-
20 plaints or petitions for writ of habeas corpus in this Court since
21 1987,¹ as well as twenty complaints or petitions in the Eastern
22

23 ¹Addleman v. Dolliver, C87-335B; Addleman v. Board of Prison
24 Terms and Paroles, C87-363T; Addleman v. Washington State Peniten-
25 tiary, C87-1661M; Addleman v. Dailey, C88-661R, Addleman v. Marsh,
C89-534B; Addleman v. Washington State et al., C89-817C; Addleman v.
Merritt, C89-1430R; and, Addleman v. Reser, C89-1629R.

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District of Washington since 1982.² While this number is not of
itself excessive, many of these complaints are repetitious or
duplicative. Plaintiff has repeatedly sued or attempted to sue court
clerks and judges for acts within the scope of their judicial role.³
Plaintiff has attempted to attack his sentence not only directly by
challenging the Washington Sentence Reform Act,⁴ but also by suing
the governor, state legislators, judges, and others who participated
in passage of the SRA or in formulating the sentencing guidelines.⁵
This complaint represents but one more such case. Most of the
allegations made here appeared previously in other suits by plain-
tiff. Moreover, the documents which plaintiff submitted in this case

²Addleman v. Washington State Dept. of Corrections, et al.,
C-82-339-JLQ; Addleman v. Kincheloe and Attorney General of
Washington, C-82-844-JLQ; Addleman v. State of Washington, Reed,
and Attorney General of Washington, C-82-845-JLQ; Addleman v. Reed,
Kautzky, Spalding, et al., C-83-635-RJM; Addleman, et al. v. Reed,
Kincheloe, and Smith, C-83-683-RJM; Addleman v. Kincheloe and Reed,
C-84-480-RJM; Addleman v. Federline, C-84-126-RJM; Addleman v. Ponti,
C-84-476-RJM; Addleman v. Hansen, et al., C-86-134-RJM; Addleman v.
Hansen, Dever, Riveland, Glassley, and Kincheloe, C-87-292-JLQ;
Addleman v. Riveland, Kincheloe, Burt, Moses, and Hansen,
C-87-329-AAM; Addleman v. Kincheloe, Dever, Hansen, Zohner,
C-87-500-RJM; Addleman v. Board of Prison Terms and Paroles,
C-87-498-AAM (transferred from Western District); Addleman v. Board
of Prison Terms and Paroles, C-88-526-RJM; Addleman v. State of
Washington, Gardner, Bail, Kincheloe, 1986 and 1987 Legislatures, et
al., C-87-793-RJM; Addleman v. Riveland, Peterson, Montgomery,
Sorenson, and Taylor, C-88-*-RJM; Addleman v. State of Washington and
Supt. Blodgett, C-89-492-AAM/M; Addleman v. State of Washington,
Kincheloe, Menke, and Erdman, C-89-533-RJM; Addleman v. State of
Washington, Riveland, et al., C-89-527-JLQ; Addleman v. Judge Alan A.
McDonald, C-89-746-JLQ.

³Addleman v. Merritt, C89-1430R; Addleman v. Dolliver,
C87-335B; Addleman v. Reser, C89-1629R; Addleman v. Judge Alan A.
McDonald, C-89-746-JLQ.

⁴C-87-498-AAM; C-88-526-RJM.

⁵C-87-793-RJM.

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are wholly unsubstantial and incomprehensible and reveal no basis upon which the Court can perceive any meritorious claims.

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2 (3) Plaintiff is placing a great burden on the Court by reason
3 of the large number of filings and attempted filings, and the Court
4 finds that plaintiff is abusing his privilege to proceed in forma
5 pauperis. Plaintiff, may in the future, file actions only in
6 accordance with the procedure set out in paragraphs (4) and (5).

7 (4) The Court hereby adopts a special procedure whereby any
8 future requests by plaintiff to proceed in forma pauperis in the
9 Western District of Washington at Seattle or in Tacoma will be
10 denied, except upon a showing of good cause to the Court's satisfac-
11 tion as to why plaintiff should be permitted to sue on a particular
12 cause of action at public expense. Graham v. Riddle, 554 F.2d 133
13 (4th Cir. 1977).

14 (5) With respect to all cases which plaintiff seeks to file pro
15 se and in forma pauperis any civil rights case or petition for writ
16 of habeas corpus in the Western District of Washington, he must:

17 (a) Submit all forms required by Local Rules CR 3 and
18 CR 103 and the Rules Governing Habeas Corpus in the United
19 States District Court;

20 (b) Answer all questions on the required forms completely
21 and directly;

22 (c) Additionally submit, with respect to any petition for
23 writ of habeas corpus, specific, affirmative evidence that he
24 has exhausted available state remedies with respect to the
25 particular issues raised; and,

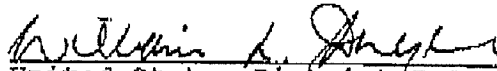
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1 (d) Additionally submit, with respect to any civil rights
2 complaint, a separate statement, based on factual allegations,
3 showing good cause why he should be permitted to sue on the new
4 complaint. Plaintiff must also certify that the claims have not
5 previously been litigated by him in another case.

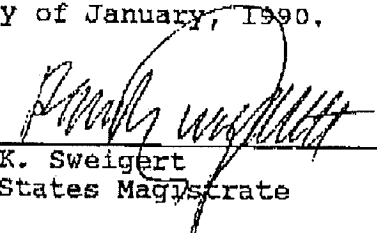
6 (6) Upon receipt of any new case for filing, the Clerk shall
7 direct the documents to the appropriate magistrate's office for
8 determination of whether the filing complies with the requirements of
9 this Order.

10 (7) The Clerk shall furnish copies of this Order to plaintiff
11 Addleman, to the Attorney General of the State of Washington, and to
12 each full-time United States Magistrate.

13 DATED this 23rd day of Jan., 1990.

14 
15 United States District Judge

16 Recommended for Entry this
17 18th day of January, 1990.

18 
19 Philip K. Sweigert
20 United States Magistrate

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