

NONPRECEDENTIAL DISPOSITION

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

United States Court of Appeals

**For the Seventh Circuit
Chicago, Illinois 60604**

Submitted July 20, 2022*

Decided July 20, 2022

By the Court:

No. 21-1943

MONICA SHEKAR,
Plaintiff-Appellant,

v.

OCWEN LOAN SERVICING, LLC,
et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Northern District of Illinois,
Eastern Division.

No. 20 C 0837

Robert W. Gettleman,
Judge.

ORDER

The district court dismissed Monica and Roger Shekar's lawsuit upon the recommendation of the Executive Committee of the Northern District of Illinois, which found that Monica Shekar had disobeyed numerous court orders and obstructed proceedings. Because Ms. Shekar's appeal from the dismissal is frivolous, we dismiss. We also sanction Ms. Shekar for her abusive conduct throughout this appeal.

Ms. Shekar and her husband, Roger, sued a handful of companies involved in servicing their home mortgage for various types of malfeasance, including the violation of federal statutes. When the Shekars filed this lawsuit in December 2019, they had already sued twice under the same set of facts, *see Shekar v. Ocwen Loan Servicing, LLC*,

* We have agreed to decide the case without oral argument because the appeal is frivolous. FED. R. APP. P. 34(a)(2)(A).

No. 18-cv-03019 (N.D. Ill.); *Shekar v. Ocwen Loan Servicing, LLC*, No. 19-cv-7812 (N.D. Ill.), and Roger had already incurred filing bars in this court (twice) and the Northern District of Illinois for abusive conduct in previous cases. The Executive Committee of the Northern District of Illinois (which serves as a disciplinary body, among other things, *see* N.D. Ill. L. R. 83.25) prohibited Mr. Shekar from further participation in this suit, but he and Ms. Shekar continued to file joint submissions. As a result, Ms. Shekar was ordered to file paper documents (so her husband could not use her e-filing credential) bearing her signature alone. Supposedly continuing alone, she filed several frivolous motions.

Before sanctioning Ms. Shekar for a particularly egregious motion to have the case reassigned, the Executive Committee ordered an evidentiary proceeding to determine if she was the true author. But Ms. Shekar violated several orders to appear before a magistrate judge. Because the Executive Committee could not confirm the author's identity without her appearance, it enjoined her from filing any new civil action or proceeding in the district court without leave. The Executive Committee also recommended that the presiding judge dismiss this pending case with prejudice, finding that Ms. Shekar's persistent obstruction was delaying prosecution. The judge obliged, and this appeal follows.

Our review is limited to the dismissal order.¹ The Executive Committee's order sanctioning Ms. Shekar and recommending the dismissal of the case is the product of a separate proceeding and not within the scope of this appeal. Ms. Shekar already exercised her right to appeal the Executive Committee's order, *see In re: Monica Shekar*, No. 21-1805 (7th Cir. Dec. 17, 2021), but she never paid the docketing fee despite multiple warnings, so the appeal was dismissed. This appeal cannot substitute for the other, aborted appeal, so we ignore arguments about the Executive Committee's order.

¹ The appeal of the dismissal is timely: The judgment was signed on April 13, 2021, and entered on the docket on April 14, 2021. On May 12, 2021, this court received a notice of appeal from Ms. Shekar, which we transmitted to the district court and was then entered on the docket with the wrong filing date, May 14, 2021. *See* FED. R. APP. P. 4(d). Because neither party correctly identified why the notice of appeal was timely, we will explain. First, timeliness is measured from the date that the judgment was entered on the district court's docket (i.e., April 14, 2021). *See* FED. R. APP. P. 4(a)(1)(A), (a)(7)(A)(ii). Second, regardless of the filing date on the district court docket, the notice of appeal is considered filed in the district court on the day Ms. Shekar mistakenly filed it in the appellate court (i.e., May 12, 2021). *See* FED. R. APP. P. 4(d). Thus, the notice was filed within 30 days after entry of the judgment. *See* FED. R. APP. P. 4(a)(1)(A), 26(a)(1).

Ms. Shekar makes many arguments on appeal, but all lack merit. The only colorable argument we discern is that the district judge erroneously dismissed her case irrespective of its merit because of the Executive Committee's recommendation, which she contends is irrelevant to this case and resulted from bias. We reiterate that the merit of the Executive Committee's order is not before us. Because those findings are undisturbed, we have no cause to question the district court's decision to rely on the order as grounds for dismissing the case. The judge's dismissal order was brief, but the statement that it was "based on" the Executive Committee's detailed order incorporated all the reasoning needed. Moreover, Ms. Shekar's frivolous and repetitious filings, obstruction of proceedings, and violations of court orders independently supported a sanction of dismissal. *See Chambers v. NASCO, Inc.*, 501 U.S. 32, 55 (1991); *Martin v. Redden*, 34 F.4th 564, 568 (7th Cir. 2022).

Ms. Shekar's other arguments are even more frivolous. Her opening brief is littered with accusations of misconduct by the presiding district judge and members of the Executive Committee, which are so specious and inflammatory that we will not legitimize them by repeating or addressing them. Further, despite Ms. Shekar's knowledge that her husband's participation is prohibited by his filing bars, she continues to maintain that "both Roger and Monica are active plaintiffs." Outside the briefing, Ms. Shekar has wasted considerable judicial resources by filing frivolous and repetitious motions even after being directed to desist. These motions were excessively lengthy and made baseless, offensive accusations against multiple judges. When Ms. Shekar's recalcitrant motions continued after she filed her opening brief, we barred her from filing a reply. *See Custom Vehicles, Inc. v. Forest River, Inc.*, 464 F.3d 725, 728 (7th Cir. 2006) (Easterbrook, J., in chambers).

Because the appeal is frivolous, we dismiss it, and we sanction Ms. Shekar with a \$1,000 fine. *See* FED. R. APP. P. 38. Until she pays in full, we direct the Clerk to return unfiled any papers that Ms. Shekar attempts to file in this court, unless they pertain to a criminal prosecution against her or a habeas corpus action. *See Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995). Although we would typically order a litigant to show cause before sanctioning her, *see, e.g., id.*, such an order would be fruitless here: There is no reasonable explanation that Ms. Shekar could provide to excuse her litigation misconduct and her unfounded accusations against various judges.

DISMISSED