

# UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen  
United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
[www.ca7.uscourts.gov](http://www.ca7.uscourts.gov)

## SANCTION ORDER

May 11, 2023

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

No. 23-1689	CHARLES SIMON, Plaintiff - Appellant  v.  UNITED STATES DEPARTMENT OF JUSTICE, et al., Defendants - Appellees
<b>Originating Case Information:</b>	
District Court No: 3:23-cv-00178-jdp Western District of Wisconsin District Judge James D. Peterson	

The following are before the court:

- 1. MOTION TO OBJECT TO BEING SUBJECT TO MORE SANCTIONS AND MOTION TO REVERSE ORDER THAT DISMISSED APPELLANT'S APPEAL**, filed on April 26, 2023, by the pro se appellant.
- 2. MOTION TO RESCIND MOTION THAT REQUEST THE APPEAL COURT TO REVERSE ORDER THAT DISMISSED APPELLANT'S APPEAL**, filed on April 27, 2023, by the pro se appellant.

On April 18, 2023, this court summarily dismissed this appeal and ordered appellant Charles Simon to show cause why he should not be sanctioned for continuing his frivolous and vexatious litigation. Simon has filed a response to this court's show cause order, but the response offers no justification for his persistence in pursuing frivolous claims. Accordingly,

**IT IS ORDERED** that appellant Charles Simon is sanctioned \$5,000 for filing a frivolous appeal. Within fourteen days of the date of this order, Simon must tender a check payable to the clerk of this court for the full amount of the sanction.

**IT IS FURTHER ORDERED** that the clerks of all federal courts in this circuit shall return unfiled any papers submitted either directly or indirectly by or on behalf of Simon unless and until he pays in full any sanctions that have been imposed against him and all outstanding filing fees. See *In re City of Chicago*, 500 F.3d 582, 585–86 (7th Cir. 2007); *Support Sys. Int’l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam). In accordance with our decision in *Mack*, exceptions to this filing bar are made for criminal cases and for applications for writs of habeas corpus. See *Mack*, 45 F.3d at 186–87. This order will be lifted immediately once Simon makes full payment. See *City of Chicago*, 500 F.3d at 585–86. If Simon, despite his best efforts, is unable to pay in full all outstanding sanctions and filing fees, he is authorized to submit to this court a motion to modify or rescind this order no earlier than two years from the date of this order. See *id.*; *Mack*, 45 F.3d at 186.

**IT IS FINALLY ORDERED** that the motion to rescind is **DENIED**.