

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

July 11, 2024

Before

FRANK H. EASTERBROOK, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

JOHN Z. LEE, *Circuit Judge*

No. 23-3194

ROY C. DERKSEN,
Plaintiff-Appellant,

v.

STATE OF WISCONSIN, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 23-C-0997

Lynn Adelman,
Judge.

ORDER

Our decision in this appeal, issued on May 10, 2024, gave Derksen 14 days to show cause why the court should not impose a penalty under Federal Rules of Appellate Procedure Rule 38 in response to this frivolous appeal. Derksen did not respond or ask for additional time to do so, and the time for response has lapsed.

For the reasons given in our order of May 10, we fine Derksen \$1,000 for engaging in frivolous litigation. The fine, payable to the Clerk of Court, is due immediately. Until Derksen has paid in full this sanction, the clerks of all federal courts in this circuit will return unfiled any papers submitted either directly or indirectly by or on behalf of Derksen. *See In re City of Chicago*, 500 F.3d 582, 584–86 (7th Cir. 2007);

Support Sys. Int'l, Inc. v. Mack, 45 F.3d 185, 186 (7th Cir. 1995). 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 Derksen makes full payment. See *City of Chicago*, 500 F.3d at 585–86. If Derksen, 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. Any such application for relief must show in detail why the fine has not been fully paid.