

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ONEIDA

ORDER RE: **BARDELL JOSEPH ANDERTON**) 2013-6
) **DECLARATION THAT**
) **BARDELL ANDERTON**
) **IS A VEXATIOUS**
) **LITIGANT**
)

On August 24, 2013, pursuant to Rule 59 of the Idaho Court Administrative Rules, this Court issued Administrative Order 2013-3 which set forth a proposed order declaring Bardell Joseph Anderton based on two findings of fact consistent with the requirements of ICAR 59(d)(1) and (d)(2). Mr. Anderton was given 14 days to file a written response, which he has done. The Court concludes that the response is timely. ICAR 59(e) provides that the Court, in its discretion, may hold a hearing on the matter after reviewing the litigant's response.

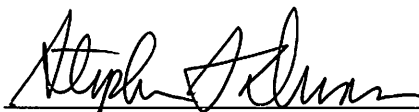
The Court has carefully considered Mr. Anderton's response. He offers no evidence to contest the findings of fact included within Administrative Order 2013-3, i.e., that he has "commenced, prosecuted, or maintained pro se at least three litigations...that have been finally determined adversely to that person," I.C.A.R. 59(d)(1), and that he has "repeatedly litigated or attempted to relitigate, pro se,...the validity of the determination against the same defendant or defendants as to whom the litigation was finally determined" and that "the cause of action, claim, controversy, or any of the issues of fact or law, [was] determined or concluded by the final

determination against the same defendant or defendants as to whom the litigation was finally determined,” I.C.A.R. 59(d)(2). Instead, Mr. Anderton has raised a number of unrelated issues, including a conclusion that this Court is biased, that this order is a punishment for Judge Brown’s alleged refusal to disqualify himself from Mr. Anderton’s litigation, that this order deprives him of certain constitutional rights, that he is being deprived of his right of redress against the government, that this rule does not apply to attorneys, that the jurisdiction of this Court is in question, that this order would violate Idaho’s Right to Work laws, that the submissions by Judge Brown contain inaccuracies, and that the order appears to have been followed already. Mr. Anderton also demands a jury trial on this issuance of this order.

Mr. Anderton cites no authority for any of the various positions he takes in his response. The Court clearly has jurisdiction to review this matter, pursuant to ICAR 59. There is no provision that allows for a jury trial on this issue. Indeed, the rule allows for a hearing before the Court, in the discretion of the Court. The Court finds the other matters raised by Mr. Anderton to be without merit and unresponsive to the proposed order. The Court further finds that no hearing is necessary in this matter.

Therefore, Bardell Joseph Anderton is hereby declared to be a vexatious litigant pursuant to I.C.A.R. 59. This declaration is based upon the Findings set forth in the Court’s Administrative Order 2013-3. Bardell Joseph Anderton is precluded from filing any new litigation in any of the courts of the State of Idaho, *pro se*, without first obtaining leave of the presiding judge of a court where the litigation is proposed to be filed. Disobedience of this pre-filing order shall be punished as a contempt of court and any action filed by Mr. Anderton without prior leave of the applicable Court may be dismissed by that Court, *sua sponte*.

DATED September 17, 2013



Stephen S. Dunn
Administrative District Judge
Sixth Judicial District

CC: Patricia Tobias, Administrative Director of the Courts of the State of Idaho
All judges of the Sixth Judicial District
Clerks and Deputy Clerks of the Sixth Judicial District
Sheriffs of the Sixth Judicial District
Bardell Joseph Anderton