

RECEIVED
DISTRICT COURT

FILED-DISTRICT COURT
CASE # CV-2013-817
TIME 4:40 PM

2013 NOV -1 A 11:08

OCT 24 2013

PATTY TEMPLE, CLERK
_____, DEPUTY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR MINIDOKA COUNTY

IN THE MATTER OF THE ORDER
DECLARING FREDRIC S. PADDEN A
VEXATIOUS LITIGANT

CV -2013-0817

PREFILING ORDER

FREDRIC S. PADDEN,

A vexatious litigant.

On October 11, 2013, Pursuant to Idaho Administrative Rule 59(e), this court issued a Proposed Prefiling Order which set forth a proposed order declaring FREDRIC S. PADDEN a vexatious litigant based upon FINDINGS OF FACT AND CONCLUSIONS OF LAW, issued the same date. FREDRIC S. PADDEN was given fourteen (14) days to file a written response, which he has done on October 15, 2013. The court concludes that his response is timely. Idaho Administrative Rule 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. PADDEN's response. He offers no evidence to contest the FINDINGS OF FACT AND CONCLUSIONS OF LAW filed October 11, 2013, i.e., that he has repeatedly sought or attempted to relitigate, *pro se*, either: (A) the validity of prior determinations against FREDRIC S. PADDEN; or (B) claims or issues of fact or law that have previously been finally determined against FREDRIC S. PADDEN. He merely restates his prior arguments to the court, and includes a handwritten cover sheet that declares that this judge is "an ass!" (Emphasis in original).

THEREFORE, this court orders as follows:

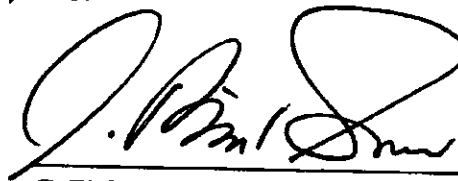
- 1) In this court's discretion a hearing will not be conducted.
- 2) FREDRIC S. PADDEN is declared to be a vexatious litigant pursuant to Idaho Administrative Rule 59. This declaration is based upon the findings previously made by this court on October 11, 2013.
- 3) Based thereon, FREDRIC S. PADDEN is hereby PROHIBITED from filing any new litigation in the courts of this state *pro se* without first obtaining leave of a judge of the court where the litigation is proposed to be filed.

4) Disobedience to this order is punishable as a contempt of court and any action filed by Mr. PADDEN without prior leave of court may be dismissed by the court.

PURSUANT TO Idaho Administrative Rule 59(f) this order may be appealed to the Idaho Supreme Court as a matter of right.

IT IS SO ORDERED

Dated this 23 day of October, 2013.

A handwritten signature in black ink, appearing to read "G. Richard Bevan", written over a horizontal line.

G. RICHARD BEVAN
Administrative District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 24 day of October, 2013, I caused to be served a true and correct copy of the foregoing, by the method indicated below, and addressed to the following:

FREDRIC S. PADDEN
814 H. Street
Rupert, Idaho 83350

U.S. Mail
 Hand delivered
 Faxed
 Court Folder

HON. JONATHAN BRODY
Minidoka County Courthouse
715 G. Street
P.O. Box 368
Rupert, ID 83350

U.S. Mail
 Hand delivered
 Faxed
 Court Folder

PATTY TEMPLE
Minidoka County Courthouse
715 G. Street
P.O. Box 368
Rupert, ID 83350

U.S. Mail
 Hand delivered
 Faxed
 Court Folder

PATRICIA TOBIAS
Administrative Director
of the Courts
P.O. Box 83720
Boise, ID 83720

U.S. Mail
 Hand delivered
 Faxed
 Court Folder

Clerk in Deputy