

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ABDUL AZIZ,	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 98-5840
	:	
v.	:	
	:	
SYLVIA H. RAMBO,	:	
	:	
Defendant.	:	

**MEMORANDUM**

BUCKWALTER, J.

November 18, 1998

On November 4, 1998, pro se Plaintiff Abdul Aziz filed a lawsuit against the Honorable Sylvia H. Rambo of the United States District Court for the Middle District of Pennsylvania, alleging, inter alia, obstruction of justice, bias, omission, abuse of power, inherent incompetence, and tacit conspiracy in her disposition of two lawsuits he had previously filed in that court. Those lawsuits were based on his failure to be hired for a faculty position at Pennsylvania State University's York campus, which he had alleged was based on unlawful discrimination. Judge Rambo granted the university's motions for summary judgment in both actions.

Based on the allegations of the complaint and this Court's lengthy experience with this plaintiff and his habit of filing frivolous lawsuits, see Aziz v. Pennsylvania State Univ., Berks Campus, Nos. CIV. A. 97-1134, 98-5189, 98-5332, and 98-5550 (E. D. Pa. Nov. 17, 1998)

(awarding sanctions for repeated frivolous filings), this complaint will be DISMISSED sua sponte pursuant to Fed. R. Civ. P. 12(b)(6).

A district court “may on its own initiative enter an order dismissing the action provided that the complaint affords a sufficient basis for the court’s action.” Bryson v. Brand Insulations, Inc., 621 F.2d 556, 559 (3d Cir. 1980). After taking judicial notice of the proceedings in the Plaintiff’s lawsuits in the Middle District of Pennsylvania, this Court is of the opinion that judicial immunity would most likely bar Plaintiff’s present action against the judge in those previous lawsuits.

Moreover, the complaint itself in this case is frivolous on its face. For example, the plaintiff charges the defendant with committing seven unlawful acts. Citing as the basis for the allegations regarding these unlawful acts, the complaint states: “It happens.”<sup>2</sup>

<sup>2</sup>Vide Reader’s Digest, July or Aug. 98 issue article ‘American Justice System.’”

An appropriate order follows.

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SYLVIA H. RAMBO,	:	
	:	
Defendant.	:	

**ORDER**

AND NOW, this 18th day of November 1998, the following order is entered in accordance with the accompanying memorandum:

It is hereby ORDERED that the complaint of Plaintiff Abdul Aziz in Civil Action No. 98-5840 is DISMISSED. The Clerk shall mark this case **CLOSED**.

BY THE COURT:

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RONALD L. BUCKWALTER, J.