

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-mc-00011-CRC**

IN RE MCNEIL AND ELLIS PRE-FILING INJUNCTION et al
v. ELLIS et al
Assigned to: Judge Christopher R. Cooper
Case: [1:16-cv-01053-CRC](#)
Cause: Civil Miscellaneous Case

Date Filed: 01/24/2018
Jury Demand: None
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

In Re

**MCNEIL AND ELLIS PRE-FILING
INJUNCTION**

Petitioner

MARK CRUMPACKER

represented by **MARK CRUMPACKER**
4212 East Los Angeles Avenue
#4335
Simi Valley, CA 93063
PRO SE

V.

Respondent

MICHAEL B. ELLIS

represented by **MICHAEL B. ELLIS**
5052 N.E. County Road 220
Rice, TX 75155
PRO SE

Respondent

ROBERT A. MCNEIL

represented by **ROBERT A. MCNEIL**
729 Grapevine Highway
Apartment 148
Hurst, TX 76054
PRO SE

Movant

UNITED STATES OF AMERICA

represented by **Ryan O'Connor McMonagle**
U.S. DEPARTMENT OF JUSTICE
Tax Division
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/24/2018	1	ORDER directing the Clerk's office to open this miscellaneous case to adjudicate issues related to 44 the April 19, 2017 pre-filing injunction issued against Robert McNeil and Michael Ellis. See full Order for details. Signed by Judge Christopher R. Cooper on 1/24/2018. (lccrc3) (Entered: 01/24/2018). Signed by Judge Christopher R. Cooper on 1/24/18. (td) Modified on 1/25/2018 (zlsj). (Entered: 01/24/2018)
01/24/2018	2	MOTION for Permanent Injunction by UNITED STATES OF AMERICA (Attachments: # 1 Memorandum in Support, # 2 Request for Judicial Notice, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Text of Proposed Order)(td) (Entered: 01/24/2018)
01/24/2018	3	Memorandum in opposition to re 2 MOTION for Permanent Injunction filed by MICHAEL B. ELLIS, ROBERT A. MCNEIL. (td) (Entered: 01/24/2018)
01/24/2018	4	REPLY to opposition to motion re 2 MOTION for Permanent Injunction filed by UNITED STATES OF AMERICA. (td) (Entered: 01/24/2018)
01/24/2018	5	MEMORANDUM OPINION granting 30 Motion for Permanent Injunction. See accompanying Order of Permanent Injunction for details. Signed by Judge Christopher R. Cooper on 4/19/2017. (lccrc3) (Entered: 04/19/2017). (td) (Entered: 01/24/2018)
01/24/2018	6	ORDER OF PERMANENT INJUNCTION See attached Order for details.. Signed by Judge Christopher R. Cooper on 4/19/17. (td) (Entered: 01/24/2018)
01/24/2018	7	LEAVE TO FILE DENIED- Counterclaim defendants' Response to U.S. Reply in Support of Motion for Permanent Injunction "LEAVE TO FILE DENIED. Sur-replies not permitted see Local Rules except in circumstances not present here". This document is unavailable as the Court denied its filing.. Signed by Judge Christopher R. Cooper on 4/14/17. (td) (Entered: 01/24/2018)
01/24/2018	8	MOTION to Alter or 6 Order, MOTION to Vacate 5 6 by MICHAEL B. ELLIS, ROBERT A. MCNEIL. "Leave to file GRANTED" signed by Judge Christopher R. Cooper on 05/19/2017 (jf) (Entered: 05/22/2017) (td) Modified on 1/24/2018 (td). Modified on 1/24/2018 (td). (Entered: 01/24/2018)
01/24/2018	9	Memorandum in opposition to re 8 MOTION to Alter Judgment as to 6 Order MOTION to Vacate filed by UNITED STATES OF AMERICA. (td) (Entered: 01/24/2018)
01/24/2018	10	MOTION for Order to Show Cause Why Counterclaim Defendants Should Not Be Held In Contempt by UNITED STATES OF AMERICA (Attachments: # 1 Memorandum in Support, # 2 Text of Proposed Order)(td) (Entered: 01/24/2018)
01/24/2018	11	ERRATA by UNITED STATES OF AMERICA 10 MOTION for Order to Show Cause filed by UNITED STATES OF AMERICA. (Attachments: # 1 Exhibit A)(td) (Entered: 01/24/2018)

		01/24/2018)
01/24/2018	12	Memorandum in opposition to re 10 MOTION for Order to Show Cause filed by MICHAEL B. ELLIS, ROBERT A. MCNEIL. (td) (Entered: 01/24/2018)
01/24/2018	13	MOTION for Recusal of the Honorable Chris Cooper by MICHAEL B. ELLIS, ROBERT A. MCNEIL (Attachments: # 1 Exhibit)(td) (Entered: 01/24/2018)
01/24/2018	14	REPLY to opposition to motion re 10 MOTION for Order to Show Cause Why Counterclaim Defendants Should Not Be Held In Contempt filed by UNITED STATES OF AMERICA. (td) (Entered: 01/24/2018)
01/24/2018	15	Memorandum in opposition to re 13 MOTION for Recusal filed by UNITED STATES OF AMERICA. (td) (Entered: 01/24/2018)
01/24/2018	16	MOTION to Correct the Record by MARK CRUMPACKER (Attachments: # 1 Exhibit)(td) (Entered: 01/24/2018)
01/24/2018	17	Second MOTION for Order to Show Cause Why Counterclaim Defendants Should Not Be Held In Contempt by UNITED STATES OF AMERICA (Attachments: # 1 Memorandum in Support, # 2 Request for Judicial Notice, # 3 Exhibit A, # 4 Exhibit B, # 5 Text of Proposed Order)(td) (Entered: 01/24/2018)
01/24/2018	18	ORDER granting 17 Motion for Order to Show Cause Counterclaim Defendants Robert A. McNeil and Michael B. Ellis shall appear before the Honorable Christopher R. Cooper in Courtroom 27A on March 1, 2018 at 10:00 AM to show cause why they should not be held in contempt for failing to obey the order of permanent injunction entered against them by this Court on April 19, 2017. See full Order for details.. Signed by Judge Christopher R. Cooper on 1/3/18. (td) (Entered: 01/24/2018)
01/24/2018	19	REPLY to opposition to motion re 13 MOTION for Recusal filed by MICHAEL B. ELLIS, ROBERT A. MCNEIL. "LEAVE TO FILE GRANTED"(Minute Order to follow regarding lateness of entry.) (td) (Entered: 01/24/2018)
01/24/2018	20	SURREPLY to re 10 MOTION for Order to Show Cause filed by MICHAEL B. ELLIS, ROBERT A. MCNEIL. "LEAVE TO FILE GRANTED" by Christopher R. Cooper on 10/20/17. (Minute Order to follow regarding lateness of entry.)(td) (Entered: 01/24/2018)
01/24/2018		MINUTE ORDER denying 8 Motion to Vacate. Plaintiffs have filed a 8 Motion to Alter or Vacate 5 , 6 the Court's April 19, 2017 Memorandum Opinion and Order granting a Permanent Injunction. In order to grant a Motion to Alter or Vacate under Rule 59(e) of the Federal Rules of Civil Procedure, the Court must find "an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." Firestone v. Firestone, 76 F.3d 1205, 1208 (D.C. Cir. 1996). Having carefully reviewed Plaintiffs' motion, the Court finds that none of these circumstances are present here. Plaintiffs identify no change in law. And although Plaintiffs have attached five declarations to their Motion, none of them present new evidence. Instead, they explain the alleged falsification of IRS substitute income tax returns and other facts that have already been thoroughly litigated. Plaintiffs argue that the Court has not considered and decided the underlying issues of their claims. These arguments have already been presented in Plaintiffs' Opposition to the Motion for a

		Permanent Injunction, and a Motion to Alter or Vacate the Judgment is not a vehicle "to relitigate old matters." Rivera v. JPMorgan Chase Bank, N.A., 312 F.R.D. 216, 219 (D.D.C. 2015). Plaintiffs also attempt to raise new legal theories to support their claims. But a Motion to Alter or Vacate the Judgment is also not "a vehicle for presenting theories or arguments that could have been advanced earlier." Loumiet v. United States, 65 F. Supp. 3d 19, 24 (D.D.C. 2014). Finally, Plaintiffs' disagreements with several of the Court's findings reveal no clear errors in the Court's understanding or reasoning that would warrant altering or vacating the judgment to prevent manifest injustice. It is, therefore, hereby ORDERED that 8 Plaintiffs' Motion to Alter or Vacate is DENIED.. Signed by Judge Christopher R. Cooper on 8/9/2017.(td) Modified on 1/24/2018 (td). (Entered: 01/24/2018)
01/24/2018		ORDER granting 16 Motion granting 60 Motion to Correct the Record. The Court has confirmed with the Clerk's office that the 8 Rule 59 Motion to Alter or Vacate Sanctions was received on May 15, 2017. Signed by Judge Christopher R. Cooper on 12/15/2017.. Signed by Judge Christopher R. Cooper on 12/15/17. (td) (Entered: 01/24/2018)
01/24/2018	21	ORDER denying 13 Motion for Recusal. Signed by Judge Christopher R. Cooper on 1/24/2018. (lccrc3) (Entered: 01/24/2018)
01/31/2018	22	Memorandum in opposition to re 17 MOTION for Order to Show Cause filed by MICHAEL B. ELLIS, ROBERT A. MCNEIL; "LEAVE TO FILE GRANTED in 18mc11" by Judge Christopher R. Cooper (td) (Entered: 01/31/2018)

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