

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

VIRGIE ARTHUR,

Plaintiff,

VS.

HOWARD K. STERN, CBS STUDIOS,
INC, and KPRC HOUSTON,

Defendants.

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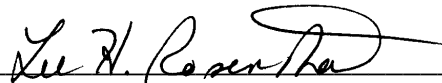
CIVIL ACTION NO. H-07-3742

MEMORANDUM AND ORDER

Jonathan Lee Riches d/b/a Gordon Gekko has moved for leave to intervene under Rule 24(a) and (b) of the Federal Rules of Civil Procedure. (Docket Entry No. 96). Riches is incarcerated at the Federal Correctional Institution serving a sentence for a wire fraud and conspiracy conviction.

A complaint is defined as frivolous when “it lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325, 109 S.Ct. 1827, 104 L.Ed.2d 338 (1989). In weighing frivolousness, a court may consider a plaintiff’s “history of bringing unmeritorious litigation.” *Bilal v. Driver*, 251 F.3d 1346, 1350 (11th Cir.2001). Riches has filed over one thousand lawsuits in federal district courts since 2006. Many have been dismissed as frivolous or malicious. Riches’s pleading in this case clearly falls into that category. His motion for leave to intervene, for “reconsideration,” and for “clarification” is denied.

SIGNED on November 5, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge