

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

LARRY M. HOAK,

Plaintiff,

v.

IDAHO DEPARTMENT OF
CORRECTIONS, JOHANNA SMITH,
IDAHO CORRECTION CENTER OF
AMERICA, VALDEZ, WEBB, PENAKY,
THOMPSON, and REMERLZE,

Defendants.

Case No. 1:10-cv-00138-LMB

**MEMORANDUM DECISION
AND ORDER**

ARTHUR A. HOAK,

Plaintiff,

v.

VALDEZ and SMITH,

Defendants.

Case No. 1:10-cv-00250-LMB

**MEMORANDUM DECISION
AND ORDER**

Now pending before the Court is Plaintiff Larry M. Hoak's Motion to Reconsider the Order dismissing his case (Dkt. 50) and four motions to supplement (Dkts. 52, 59, 62, 63). After reviewing the record and the argument of the parties, the Court enters the

following order denying Plaintiff's motions, and ordering that nothing further be filed in this case.

On August 22, 2011, the Court dismissed Plaintiffs' complaints. *Order* (Dkt. 49). However, the Court allowed time, until September 16, 2011, in which Plaintiffs could refile their complaints, so long as they prove that their claims are not barred for failure to exhaust. *Id.* at 6. Plaintiff Larry M. Hoak responded on September 19, 2011, with the same allegations contained in the complaint. *Motion* (Dkt. 50). His response is notably devoid of any evidence showing that he or his brother, Art, had exhausted his administrative remedies. *Id.* Instead, Plaintiff repeats the various allegations from his, and his brother's complaints.

Plaintiff's four motions to supplement are made in the same vein, containing various unsupported allegations, which appear to be attempts to amend the complaint to add additional allegations, rather than cure deficient ones. *Id.* Because Plaintiff offers no new allegations or proof that would meet the constitutional standards identified in the Court's Order dismissing the complaints, the Court will deny Plaintiff's motions and order that nothing further be filed in this closed case.

Order

Accordingly, it is hereby ORDERED:

1. Plaintiff's Motion to Reconsider (Dkt. 50) is DENIED;
2. Plaintiff's Motion to Supplement (Dkt. 52) is DENIED;

3. Plaintiff's Motion to Supplement (Dkt. 59) is DENIED;
4. Plaintiff's Motion to Supplement (Dkt. 62) is DENIED;
5. Plaintiff's Motion to Supplement (Dkt. 63) is DENIED; and
6. Nothing further is to be filed in this case without leave of the Court.



DATED: **February 6, 2012.**

A handwritten signature in black ink, appearing to read "Larry M. Boyle".

Honorable Larry M. Boyle
United States Magistrate Judge