

NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted February 23, 2024*
Decided February 23, 2024

Before

DAVID F. HAMILTON, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

No. 23-2757

DONALD MAINS,
Plaintiff-Appellant,

v.

MARTIN J. O'MALLEY,
Commissioner of Social Security,
Defendant-Appellee.

Appeal from the United States District
Court for the Western District of
Wisconsin.

No. 23-cv-92-wmc

William M. Conley,
Judge.

* This appeal is successive to case No. 20-1362 and under Operating Procedure 6(b) is decided by the same panel. We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

ORDER

Donald Mains believes that the Social Security Administration has been discriminating against him by underpaying his retirement and disability benefits. When he first asserted this claim in 2018, the district court dismissed the case for lack of subject-matter jurisdiction, 28 U.S.C. § 1915(e)(2), explaining that Mains had not challenged a “final decision” of the agency “made after a hearing.” 42 U.S.C. § 405(g). We affirmed. *Mains v. Saul*, 821 F. App’x 636, 637 (7th Cir. 2020). Mains then asserted the same claim in three subsequent lawsuits. The district court dismissed each case, ruling that it lacked jurisdiction and that the doctrines of issue and claim preclusion barred Mains from asserting matters already litigated.

Mains appeals the most recent dismissal order, repeating his assertion that he is entitled to additional benefits. But as the district court carefully explained, it could not reach the merits of his claim without jurisdiction, which it lacked because Mains had not challenged a final decision of the agency. We agree. That resolves this appeal. See *McHugh v. Ill. Dep’t of Transp.*, 55 F.4th 529, 535 (7th Cir. 2022) (citing *Steel Co. v. Citizens for a Better Env’t*, 523 U.S. 83, 94 (1998)).

We conclude with the matter of sanctions. Mains was warned by the district court that if he files another lawsuit asserting this claim, he will be subject to sanctions in that court. We now similarly warn Mains that future frivolous appeals may result in sanctions against him, including fines that, if unpaid, may result in a bar on filing papers in any court within this circuit. See *Support Sys. Int’l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995).

AFFIRMED