

## US District Judge Rules Against Snipes

Written by Robert ID777

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Actor Wesley Snipes cannot use the federal courts to nullify an arrest warrant and stop state prosecutors from seeking his DNA in a paternity suit brought by a woman he says he never met, a judge ruled Wednesday.

U.S. District Judge Loretta Preska dismissed nearly all the claims by Snipes, saying he can pursue relief in state courts even for claims that actions taken against him violated his constitutional rights.

The judge said earlier court rulings make clear that a plaintiff "may not seek a reversal of a state action simply by recasting his complaint in the form of a civil rights action."

Snipes had asked the judge to intervene after a New York family court judge issued an arrest warrant and after Indiana prosecutors sought a sample of his DNA.

The arrest warrant came after a 33-year-old woman filed a paternity suit in 2002 claiming she had sex with Snipes in a Chicago crackhouse and he fathered her 3-year-old son.

Snipes said in his lawsuit that he never met the woman and that she was a "mentally ill former crack addict" who had made wild claims involving celebrities such as Prince, Oprah Winfrey and former President Clinton (news - web sites).

In her ruling, read from the bench after oral arguments Wednesday, the New York judge made no reference to the sensational allegations of the case.

She said Snipes, in effect, was asking the federal court to review decisions made in state judicial proceedings and overrule them.

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"This it may not do," she said, particularly when the rulings involve family relations, a subject that is a "traditional area of state concerns."

She said Snipes had failed to show he would suffer irreparable harm, in part because he waited nearly a year and a half after the arrest warrant was issued to challenge it in federal court.

Outside court, Snipes lawyer Robert Bernhoft said he did not know if he would appeal.

"It's troubling that our client has to go through so much difficulty to vindicate his rights," he said.

Bernhoft said Snipes, an Orlando, Fla., resident, was aware it would be far less costly and easier to provide the DNA sample.

"For Wesley Snipes, principles are more important than efficiency, doing the easy thing," he said.

Bernhoft said Snipes believed he was a "stakeholder for other young black American males who don't have the resources" to fight bogus claims that they fathered children.

Snipes has appeared in blockbuster films such as "Passenger 57," "White Men Can't Jump," "Wildcats" and the "Blade" trilogy.

Emily Sweet, a lawyer for New York City, said she was pleased with the ruling.

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