

TITLE 7: CIVIL PROCEDURE  
DIVISION 2: ACTIONS AND SPECIAL PROCEEDINGS

**§ 2454. Determination; Dismissal.**

(a) Except as provided in subsection (b) of this section, if, after hearing the evidence upon the motion, the court determines that the plaintiff is a vexatious litigant and that there is no reasonable probability that the plaintiff will prevail in the litigation against the moving defendant, the court shall order the plaintiff to furnish, for the benefit of the moving defendant, security in such amount and within such time as the court shall fix.

(b) If, after hearing evidence on the motion, the court determines that the litigation has no merit and has been filed for the purposes of harassment or delay, the court shall order the litigation dismissed. This subsection shall only apply to litigation filed in a court of the Commonwealth by a vexatious litigant subject to a prefiling order pursuant to 7 CMC § 2457 who was represented by counsel at the time the litigation was filed and who acted in his or her own behalf after the withdrawal of his or her attorney.

(c) A defendant may make a motion for relief in the alternative under either subsection (a) or (b) of this section and shall combine all grounds for relief in one motion.

**Source:** PL 21-11, § 2 (§ 104) (Oct. 30, 2019), modified.

**Commission Comment:** The Commission changed an internal section reference in (b) to reflect section renumbering pursuant to 1 CMC § 3806(c), and changed “subdivision” to “subsection” in (a), (b), and (c) pursuant to 1 CMC § 3806(g).