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ORDER

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In these consolidated appeals, upon consideration of submissions relative to the motions for leave to file a petition for a writ of mandamus, the court denies the motions.

Entered at the direction of the panel: Judge Wilkinson, Judge Motz, and Judge King.

For the Court

/s/ Patricia S. Connor, Clerk

APPENDIX A

FILED: August 27, 2019

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-284  
(5:15-cv-00602-D)**

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In re: ARMSTRONG,

Petitioner.

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**No. 19-285  
(1:00-mc-00050-WO-WWD)**

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In re: ARMSTRONG,

Petitioner.

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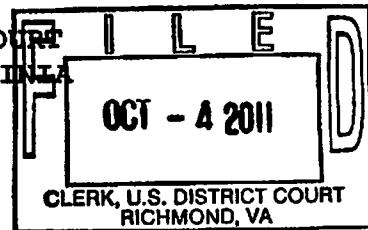
**No. 19-286  
(3:10-cv-00802-REP-DWD)**

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In re: ARMSTRONG,

Petitioner.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



ARTHUR O. ARMSTRONG,

Plaintiff,

v.

Civil Action No. 3:10cv802

COMMONWEALTH OF VIRGINIA,  
et al.

Defendants.

ORDER

Having dismissed the plaintiff's case as without merit, frivolous and vexatious and finding that the plaintiff had violated the injunction orders entered against him by other courts by Order entered May 20, 2011 (Docket No. 45), and having denied the plaintiff's motion to reopen his case by Order entered July 25, 2011 (Docket No. 49), the Court entered an Order directing the plaintiff to show cause, by August 31, 2011, why an injunction should not be entered against him (Docket No. 50). On August 23, 2011, the plaintiff filed several motions none of which was a response to the Show Cause Order and all of which evinced a continuation of the same vexatious conduct that prompted the Show Cause Order and evinced disregard for that Order.

Having reviewed the record herein and the plaintiff's filings of August 23, 2011, and having found that the plaintiff's conduct warrants the imposition of sanctions because he has pressed this action, and others related to it, for reasons of vexation and harassment, knowing that the asserted claims are lacking in merit,

and finding it appropriate so to do, it is hereby ORDERED that the plaintiff is enjoined from any of the following conduct:

(1) filing any further action in this Court that in any way involves, or relates, to the factual allegations in Armstrong v. Commonwealth of Virginia, et al., Civil Action No. 3:10cv802;

(2) that the plaintiff pay the sum of \$1,000.00 into Court and that the Clerk shall refuse to allow any filing of any action of any sort by the plaintiff in this Court until the sum of \$1,000.00 herein required as a sanction has been paid; and

(3) that the plaintiff is enjoined from filing any action of any kind in this Court without first filing a motion for leave to file an action together with the proposed Complaint and explanation why it is appropriate to allow the plaintiff to file such Complaint which motion must be granted by a judge of this Court before any action shall be filed by the Clerk.

Violations of paragraphs (1) or (2) or (3) shall be punishable as contempt of court by imprisonment or fine.

It is further ORDERED that:

(1) PLAINTIFF'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL COMPLAINT (Docket No. 51) is denied as moot;

(2) PLAINTIFF'S MOTION FOR LEAVE TO FILE MOTION FOR RELIEF, PURSUANT TO RULE 60(b)(6) OF THE FEDERAL RULES OF CIVIL PROCEDURE (Docket No. 52) is denied as moot;

(3) PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED COMPLAINT (Docket No. 54) is denied as moot;

(4) PLAINTIFF'S MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT, PURSUANT TO RULE 56(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE (Docket No. 55) is denied as moot; and

(5) The plaintiff's request for a trial date (Docket No. 57) is denied as moot.

This Order may be appealed by the plaintiff. Any appeal from this decision must be taken by filing a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a timely notice of appeal may result in the loss of the right to appeal.

The Clerk is directed to send a copy of this Order to the plaintiff.

It is so ORDERED.

/s/

*REP*

Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: October 3, 2011

## Constitutional and Statutory Provisions Involved

### FOURTEENTH AMENDMENT

All persons born or nationalized in the United States and is subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or force any laws which shall abridge any privileges or immunity of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law.

### FOURTH AMENDMENT

Seizures to be conducted on upon issuance of a warrant juridically sanctioned by probable cause supported by an oath or affirmation particularly describing the place to be searched and the person or thing to be seized.

42 U.S.C. 1983 Every person who is under color of any statute, ordinance, regulation, custom, usage of any State or the District of Columbia subject or caused to be subjected any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights privileges or immunity secured by the Constitution and laws shall be liable to the party injured in an action at law, suit in equity or other property proceeding for redress.

### 42 U.S.C. 1985 &1986

If two or more persons conspire to prevent by force, intimidation, or threats; in the furtherance of such a conspiracy, where two or more persons conspired to go in disguise on the highway or the premise thereof for the purpose of depriving, either directly or indirectly the equal protection of the law, or of equal privileges and immunities under the law; or for the purpose of preventing or hindering the constituted authorities within any State or Territory from giving or securing to any citizen within any State or Territory the equal protection of the law shall be liable to the party injured in an action at law, suit in equity or other proper proceeding for redress.

Appendix C