

FILED: July 18, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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

In re: ARTHUR O. ARMSTRONG

Petitioner

This case has been opened as an original proceeding in this court.

Petitioner(s)	Arthur O. Armstrong
Appellate Case Number	19-285
Case Manager	Carla A. Dietz 804-916-2718

Appendix A

ORDER

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

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

In re: ARMSTRONG,

Petitioner.

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

In re: ARMSTRONG,

Petitioner.

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

In re: ARMSTRONG,

Petitioner.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ARTHUR O. ARMSTRONG,)	
)	
Plaintiff,)	
)	
v.)	1:00MC50
)	
JOHN DOE,)	
)	
Defendant.)	

ORDER

Plaintiff Arthur O. Armstrong has filed a motion for relief, pursuant to Rule 60(b)(6), with a complaint attached to his motion. (Doc. 83.)

The above-referenced case was previously dismissed and appealed. The district court has previously denied Plaintiff leave to proceed; in some cases, leave has been denied multiple times. As recently as March 1, 2016, the Fourth Circuit Court of Appeals denied Plaintiff's motions for leave to appeal and stated that "Armstrong has not shown that the district court certified any of the appeals as not being frivolous." (Doc. 80 at 2-3.)

This court, in accordance with the injunction order entered February 6, 2001 (1:97CV1028), has reviewed the motion filed by Plaintiff and determines that the pending motion and attachments

filed by Plaintiff are repetitious, frivolous, and completely without merit.

IT IS HEREBY ORDERED that Plaintiff's motion for relief, pursuant to Rule 60(b)(6), and attached complaint is **DENIED**.

This the 18th day of December, 2018.

William L. Osburn, Jr.
United States District Judge

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