

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

**PATRICK CHRISTIAN,**

**Plaintiff,**

**v.**

**Criminal No. 3:18cv489**

**WILLIAM H. DADMUN, *et al.*,**

**Defendant.**

**FINAL ORDER**

This matter comes before the Court on Patrick Christian's Amended Complaint. (ECF No. 10.) The Court dismissed without prejudice Christian's initial complaint after finding that he did not sufficiently raise any federal claim. (ECF No. 2.) Christian appealed, and the United States Court of Appeals for the Fourth Circuit dismissed his appeal as interlocutory. (ECF No. 6.) *See also Goode v. Cent. Va. Legal Aid Soc'y, Inc.*, 807 F.3d 619, 623 (4th Cir. 2015) ("An order dismissing a complaint without prejudice is not an appealable final order under § 1291 if 'the plaintiff could save his action by merely amending the complaint.'") (internal citation omitted). The district court reinstated Christian's case thereafter and directed Christian to file an Amended Complaint, "which outlines in simple and straightforward terms why [he] thinks he is entitled to relief and why the Court has jurisdiction over his case." (ECF No. 9.) Christian timely filed his Amended Complaint. (ECF No. 10.)

Federal Rule of Civil Procedure 8 requires a *showing of entitlement* to relief, more than just bare allegations. *Francis v. Giacomelli*, 588 F.3d 186, 192 (4th Cir. 2009). The well-pleaded facts must "permit the court to infer more than the mere possibility of misconduct." *Id.* at 193. In doing so, a court is not bound to accept as true "legal conclusions couched as factual

allegations.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555–56 (2007). “[T]he court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . fails to state a claim upon which relief can be granted . . . .” 28 U.S.C. § 1915(e)(2)(B)(ii); *see Ashcroft v. Iqbal*, 556 U.S. 662, 681 (2009); *Twombly*, 550 U.S. at 558.

While long-standing practice allows a court construe pro se pleadings liberally, *Hill v. Braxton*, 277 F.3d 701, 707 (4th Cir. 2002), the principles requiring liberal construction are “not . . . without limits.” *Beaudett v. City of Hampton*, 775 F.2d 1274, 1278 (4th Cir. 1985). A court need not “assume the role of advocate” nor attempt “to discern the unexpressed intent of the plaintiff.” *Laber v. Harvey*, 438 F.3d 404, 413 n.3 (4th Cir. 2006).

In this case, Christian’s Amended Complaint does not satisfy the requirements of Federal Rule of Civil Procedure 8. The Amended Complaint simply names the Defendants and thus likely presumes their actions fell under the color of state law. Additionally, Christian does not provide any factual allegations that impute liability to any of the Defendants. Christian speaks of the taking of “his intangible property” (ECF No. 10 at 1), but he does not articulate how any of the Defendants’s actions involved them in this alleged deprivation. Furthermore, Christian lacks factual allegations to support the alleged taking of the property, including what property the Defendants allegedly took or how they took it. Although the Court must liberally construe a pro se litigant’s pleadings when determining whether such pleadings satisfy Rule 8, Christian’s pleadings do not satisfy the requirements of that Rule.

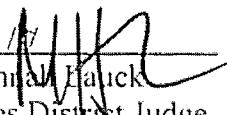
The Court previously dismissed without prejudice Christian’s initial complaint and directed him to amend his complaint to explain his cause of action and this Court’s jurisdiction. Because Christian does not state a claim and does not explain why the Court has jurisdiction over his case, the Court dismisses with prejudice his amended complaint.

Should Christian wish to appeal this Order, written notice of appeal must be filed with the Clerk of Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within the stated period may result in the loss of the right to appeal.

Let the Clerk send a copy of this Order to Christian at his address of record.

It is SO ORDERED.

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M. Hanan Hauck  
United States District Judge

Date: March 27, 2019  
Richmond, Virginia

**APPENDIX H**  
**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**  
**FOR THE FOURTH CIRCUIT**

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**No. 19-1336**

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**PATRICK CHRISTIAN,**

**Plaintiff - Appellant,**

**v.**

**WILLIAM H. DADMUN, Records & Receipts Manager; VICKI BRIDGEMAN,  
Unclaimed Property Manager; MANJU GANERIWALA, Virginia Treasurer,**

**Defendants - Appellees.**

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**Appeal from the United States District Court for the Eastern District of Virginia, at  
Richmond. M. Hannah Lauck, District Judge. (3:18-cv-00489-MHL)**

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**Submitted: July 18, 2019**

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**Decided: July 22, 2019**

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**Before WILKINSON, AGEE, and THACKER, Circuit Judges.**

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**Affirmed by unpublished per curiam opinion.**

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**Patrick O. Christian, Appellant Pro Se.**

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**Unpublished opinions are not binding precedent in this circuit.**

## PER CURIAM:

Patrick O. Christian appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2012) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Christian v. Dadmun*, No. 3:18-cv-00489-MHL (E.D. Va. Mar. 27, 2019). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*

FILED: August 27, 2019

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

## APPENDIX J

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No. 19-1336  
(3:18-cv-00489-MHL)

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PATRICK CHRISTIAN

Plaintiff - Appellant

v.

WILLIAM H. DADMUN, Records & Receipts Manager; VICKI BRIDGEMAN, Unclaimed Property Manager; MANJU GANERIWALA, Virginia Treasurer

Defendants - Appellees

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O R D E R

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The petition for rehearing en banc was circulated to the full court. No judge requested a poll under Fed. R. App. P. 35. The court denies the petition for rehearing en banc.

For the Court

/s/ Patricia S. Connor, Clerk

**Additional material  
from this filing is  
available in the  
Clerk's Office.**