

20-412, 20-413, 20-431

Arthur O. Armstrong  
8113 Pleasant Hill Road  
Elm City, NC 27822-0000

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FILED: December 15, 2020

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-412  
(5:20-cv-00332-BO)**

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In re: ARTHUR O. ARMSTRONG,

Petitioner.

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**No. 20-413  
(5:20-cv-00332-BO)**

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In re: ARTHUR O. ARMSTRONG,

Petitioner.

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**No. 20-431  
(5:20-cv-00331-D)**

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In re: ARTHUR O. ARMSTRONG,

Petitioner.

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ORDER

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Arthur O. Armstrong seeks leave to appeal the district court's orders and judgment dismissing his complaints. Because the district court did not certify that an appeal from the orders and judgments would not be frivolous, 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

**20-412, 20-413, 20-431**

Arthur O. Armstrong  
8113 Pleasant Hill Road  
Elm City, NC 27822-0000

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UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 20-412 (L)  
(5:20-cv-00332-BO)

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In re: ARTHUR O. ARMSTRONG

Petitioner

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No. 20-413  
(5:20-cv-00332-BO)

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In re: ARTHUR O. ARMSTRONG

Petitioner

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No. 20-431  
(5:20-cv-00331-D)

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In re: ARTHUR O. ARMSTRONG

Petitioner

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ORDER

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The court denies the petition for rehearing.

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

Judge King.

For the Court

/s/ Patricia S. Connor, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:20-CV-331-D

ARTHUR O. ARMSTRONG, )  
Plaintiff, )  
v. ) ORDER  
QUENTIN T. SUMNER, et al., )  
Defendants. )

Pro se plaintiff Arthur O. Armstrong ("Armstrong") is subject to a superseding permanent injunction. See Armstrong v. Woodard, No. 5:12-CV-805-F, [D.E. 26] (E.D.N.C. Mar. 29, 2013).<sup>1</sup> That injunction prohibits Armstrong from, inter alia, filing any document in this court until "he first pays any outstanding monetary sanctions in full." Id. The injunction also prohibits Armstrong from filing any documents in a new case other than a complaint until the court reviews the complaint and orders Armstrong to prepare and submit summonses. See id.

On June 22, 2020, Armstrong filed a complaint against a North Carolina Superior Court judge and others and tendered the filing fee [D.E. 1]. On July 6, 2020, Armstrong filed additional documents before the court determined whether the complaint filed in this action satisfied the requirements of the superseding permanent injunction. See [D.E. 4].

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<sup>1</sup> Armstrong needs no introduction to this court or, indeed, many other state and federal courts. See Armstrong v. Virginia, No. 3:10-CV-802-REP, 2011 WL 1261628, at \*4, 7 (E.D. Va. Mar. 16, 2011) (unpublished) (cataloguing actions filed by Armstrong and noting that "Armstrong may be the most prolific active serial-filer in the United States"), report and recommendation adopted, 2011 WL 1984478 (E.D. Va. May 20, 2011) (unpublished).

Armstrong has an unpaid outstanding monetary sanction. See Order, Armstrong v. Wilson Co., No. 5:19-CV-330-BO, [D.E. 4] (E.D.N.C. Aug. 16, 2019). Thus, he cannot file this action. See id. Moreover, Armstrong's complaint violates the terms of the superseding permanent injunction because Armstrong sues several defendants who are immune from suit and uses boilerplate language to allege a conspiracy and vague constitutional violations in connection with criminal proceedings against him. Cf. Armstrong v. Friduss, 138 F. App'x 189, 194 (11th Cir. 2005) (per curiam) (unpublished); Armstrong v. Cooper, No. 5:12-CV-810-FL, 2013 WL 1914315, at \*1-2 (E.D.N.C. Apr. 15, 2013) (unpublished); Armstrong v. Virginia, 2011 WL 1261628, at \*4-5, 7 (E.D. Va. Mar. 16, 2011) (unpublished); Armstrong v. Easley, No. 5:06-CV-495-D, 2006 WL 4766024, at \*2 (E.D.N.C. Dec. 12, 2006) (unpublished), aff'd, 225 F. App'x 120 (4th Cir. 2007) (per curiam) (unpublished). This court (again) informs Armstrong that he has failed to make the requisite factual allegations to support his legal claims, he has named defendants who are immune from suit, and his complaint is dismissed.

In sum, the court DISMISSES the action as repetitious and frivolous. In accordance with the superseding permanent injunction, the court FINDS that an appeal of this order would be frivolous. The clerk shall close the case.

SO ORDERED. This 14 day of August 2020.

J. Dever  
JAMES C. DEVER III  
United States District Judge

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ARTHUR O. ARMSTRONG, )  
Plaintiff, )  
v. )  
QUENTIN T. SUMNER, ROBERT A. EVANS, )  
NORTH CAROLINA, NASH COUNTY, KEITH )  
STONE, WILSON COUNTY, SHERIFF )  
CALVIN WOODARD, CAROLINE F. QUINN, )  
LINDA L. THORNE, LAMONT WIGGINS, )  
and TIA J. HEDGINS, )  
Defendants. )

**JUDGMENT IN A  
CIVIL CASE  
CASE NO. 5:20-CV-331-D**

**Decision by Court.**

This action came before this Court for ruling as follows.

**IT IS ORDERED, ADJUDGED, AND DECREED** that the court DISMISSES the action as repetitious and frivolous. In accordance with the superseding permanent injunction, the court FINDS that an appeal of this order would be frivolous.

**This Judgment Filed and Entered on August 14, 2020, and Copies To:**

Arthur O. Armstrong (via US Mail to 8113 Pleasant Hill Road, Elm City, NC 27822)

DATE:  
August 14, 2020

PETER A. MOORE, JR., CLERK  
(By) /s/ Lindsay Stouch  
Deputy Clerk