

20-412, 20-413, 20-431

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

FILED: December 15, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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

In re: ARTHUR O. ARMSTRONG,

Petitioner.

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

In re: ARTHUR O. ARMSTRONG,

Petitioner.

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

In re: ARTHUR O. ARMSTRONG,

Petitioner.

ORDER

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
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Elm City, NC 27822-0000

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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

In re: ARTHUR O. ARMSTRONG

Petitioner

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

In re: ARTHUR O. ARMSTRONG

Petitioner

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

In re: ARTHUR O. ARMSTRONG

Petitioner

ORDER

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

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 Armstrong v. Friduss, 138 F. App'x 189, 194 (11th Cir. 2005) (per curiam) (unpublished); Armstrong v. Cooper, No. 5:12-CV-810-FL, 2013 WL 1914315, at *1-2 (E.D.N.C. Apr. 15, 2013) (unpublished); Armstrong v. Virginia, 2011 WL 1261628, at *4-5, 7 (E.D. Va. Mar. 16, 2011) (unpublished); Armstrong v. Easley, No. 5:06-CV-495-D, 2006 WL 4766024, at *2 (E.D.N.C. Dec. 12, 2006) (unpublished), aff'd, 225 F. App'x 120 (4th Cir. 2007) (per curiam) (unpublished).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.


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. HUDGINS,)

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