

Appendix

- A. United States Court Of Appeals
For the Fourth Circuit, Judgement,
Filed 12/22/21.
- B. United States District Court of Maryland,
Order, Filed 9/24/21.
- C. United States District Court of Maryland,
Order, 10/3/97.
- D. United States Court of Appeals
For the Fourth Circuit, Judgement, 2/26/98.
- E. A Synopsis of **THE NOT ME CONSPIRACY**,
Tamarind Literary Works, John Destin Alexander,
2003, unpublished.

Footnotes

1. David Schultz, John R. Vile, Editors, THE ENCYCLOPEDIA OF CIVIL LIBERTIES IN AMERICA, Vol. 1-3, p. 813.
2. Firman Debrabander, LIFE AFTER PRIVACY, p. 4.
3. Michael Trachtman, THE SUPREMES GREATEST HITS, Sterling Publishing Company, NY, 2016.
4. Firman Debrabander, LIFE AFTER PRIVACY, p. 4.
5. Michael G. Trachtman, THE SUPREMES GREATEST HITS, Sterling Publishing Company, NY, 2016.
6. David Schultz, John R. Vile, Editors, THE ENCYCLOPEDIA OF CIVIL LIBERTIES IN AMERICA, Vol.1-3, p. 814
7. Ibid., p. 858.
8. Ibid., p. 916
9. David Schultz, John R. Vile, Editors, THE ENCYCLOPEDIA OF CIVIL LIBERTIES IN AMERICA, 2016.
10. Ibid., p. 916.

References

1. Magill's Choice, THE U.S. SUPREME COURT, Vol,1, Salem Press, Inc. 2007.
2. Trachtman, Michael G, THE SUPREMES GREATEST HITS, Sterling Publishing Company, NY, 2016.
3. Schultz, David; Vile, John R., THE ENCYCLOPEDIA OF CIVIL LIBERTIES IN AMERICA, M.E. Sharpe, Inc. 2005.
4. Debrabander, Fermin, Life After Privacy, Cambridge University Press, New York, 2020.

Appendix A
UNPUBLISHED
U.S. Court of Appeals for the Fourth Circuit
No.21-2131
JOHN DESTIN ALEXANDER
Plaintiff-Appellant

v.

DEPT. OF THE ARMY; U.S. ARMY HEALTH SERVICES COMMAND;
WALTER REED NATIONAL MILITARY MEDICAL CENTER.
Defendants-Appellees

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Deborah Lynn Boardman, District Judge.
(1:21-cv-02285-DLB)

Submitted: December 21, 2021 Decided: December 22, 2021

Before KING and QUATTLEBAUM, Circuit Judges, and TRAXLER,
Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

John Destin Alexander, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Destin Alexander appeals the district court's order
dismissing without prejudice his civil complaint as frivolous.*
We have reviewed the record and find no reversible error.
Accordingly, we affirm the district court's order. 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

*We conclude that the district court's order dismissing the
complaint without prejudice is an appealable final order.
See Bing v. Brivo Sys., LLC, 959F.3d605, 611-12 (4th Cir. 2020).

Appendix B
Case 1:21-cv-02285-DLB Document 4 Filed 09/2/21
UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

JOHN DESTIN ALEXANDER

Plaintiff,

V.

Civil Action No.DLB-21-2285

DEPARTMENT OF THE ARMY, et al.,

Defendants,

ORDER

For the reasons stated in the foregoing Memorandum, it is this
24th day of September, 2021, by the United States District Court for
the District of Maryland hereby ORDERED that:

1. The Complaint (ECF) is DISMISSED without prejudice.
2. The Clerk is directed to Mail a copy of this Order to Plaintiff;
and
3. The Clerk is FURTHER DIRECTED to CLOSE this case.

Deborah L. Boardman
United States District Judge

Appendix B

Case 1:21-cv-02285-DLB Document 3 Filed 09/24/21 Page 1 of 3

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

JOHN DESTIN ALEXANDER

Plaintiff,

v.

Civil Action No. DLB-21-2285

DEPARTMENT OF THE ARMY, et al.,

Defendants

MEMORANDUM

Plaintiff John Destin Alexander filed a complaint in this Court on September 7, 2021, ECF 1. For reasons stated below, the complaint shall be dismissed. I

This Court has the inherent authority to dismiss a complaint *sua sponte* if the allegations are frivolous. *See Mallard v. U.S. Dist. Ct. for S.D. of Iowa*, 490 U.S. 296, 307-08 (1989) (noting court's authority to dismiss frivolous claims "even in the absence of [a] statutory provision"); *Smith v. Kagan*, 616 F. App'x 90 (4th Cir. 2015) (unpublished) (mem.) (Frivolous complaints are subject to dismissal pursuant to the court's inherent authority, even when the plaintiff has paid the filing fee.); *Ross v. Baron*, 493 F. App'x 405, 406 (4th Cir. 2012) (unpublished) (same); *Fitzgerald v. First East Seventh St. Tenants Corp.*, 221 F.3d 362, 364 (2d Cir. 2000) (same); *Smith v. U.S. Dep't of Def.*, No. ELH-21-1836, 2021 WL 3367821, at *1 (D. Md. Aug. 3, 2021); *Ausar-El v. Hogan*, No. PJM-19-3040, 2020 WL 1187139, at *1 (D. Md. Mar. 11, 2020).

I On September 23, 2021, the Court filed a memorandum of dismissal Under 28 U.S.C. Section 1915 €(2)(B)(i), which requires dismissal of frivolous claims when the plaintiff commences an action without prepaying the filing fee. After the memorandum of dismissal was filed, it came to the Court's attention that the plaintiff paid the filing fee after filing suit. Although 28 U.S.C. Section 1915€(2)(B)(i) no longer applies because the filing fee has been paid, the result under the Court's inherent authority is the same.

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Cf. 28 U.S.C. Section 1915 (e) (2) (requiring screening of complaints and dismissal of frivolous claims when plaintiffs proceed in forma pauperis). A claim “is frivolous when it lacks an arguable basis either in law or in fact,” as the “term ‘frivolous,’ when applied to a complaint, embraces not only the inarguable legal conclusion, but also the fanciful factual allegation.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), *superseded by statute on other grounds as noted in Quartey v. Obama*, No. PJM-15- 567, 2015 WL 13660492, at* (D. Md. Mar. 4, 2015).

Alexander alleges that over the last thirty years, the Department of the Army, U.S. Army Health Services Command, and Walter Reed National Military Medical Center have conspired to harass him and “held [him] In involuntary servitude.” ECF I. He believes defendants are acting in retaliation for grievances he filed at Walter Reed National Military Medical Center, where he worked until 1992. *Id.* at 1, 4. Specifically, he claims defendants illegally surveilled him, followed him on public transportation, implanted medical sensory devices in his ears to monitor him, and ‘illegally listen[ed] to and redirected [his] telephone calls.” *Id.* at 2-3. He alleges defendants had ‘nuisance constantly talkative people” and ‘false people’ hover[] around him’ to cause delays and interruptions in his activities. *Id.* Anderson further alleges defendants “alter[ed]. . . sources of public information, including newspapers, magazines and books.” *Id.* at 3. He also claims defendants prevented him from obtaining employment and ‘mock[ed]” him by falsely advertising that there were no job vacancies. *Id.* at 2. In addition, he claims they subjected him to harmful medical and psychological tests. *Id.* at 2-3. In sum, Alexander contends that defendants have conspired with state and local governments and private citizens to spy, stalk, and harass him in all aspects of his private life. *Id.*

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These fanciful allegations lack any arguable basis in law or fact. even when read in the light most favorable to the plaintiff, the complaint fails to provide any non-frivolous information that might lead to a reasonable conclusion that Alexander has some plausible cause of action. Therefore, the complaint is dismissed pursuant to this Court's inherent authority. A separate order follows.

September 24, 2021

Deborah L. Boardman
United States District Judge

Appendix C
UNPUBLISHED
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-2531

JOHN A. BRINKLEY,

Plaintiff-Appellant,

versus

WALTER REED ARMY MEDICAL CENTER,

Defendant-Appellee.

Appeal from the United States District Court for the District of
Of Maryland, at Baltimore. Marvin J. Garbis, District Judge.
(CA-97-3090-MJG)

Submitted: February 12, 1998 Decided: February 26, 1998

Before MURNAGHAN and WILLIAMS, Circuit Judges, and PHILLIPS,
Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

John A. Brinkley, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36 ©.

Appendix C

PER CURIAM

Appellant appeals from the district court's order denying relief on his 42 U.S.C. Section 1983 (1994) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the court. Brinkley v. Walter Reed Army Medical Center., No. CA-97-3090-MJG (D. Md. Oct. 8, 1997). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

Appendix D
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JOHN A. BRINKLEY

v.

CIVIL ACTION NO. MJG-97-3090

WALTER REED ARMY MEDICAL
CENTER

MEMORANDUM

Plaintiff has supplemented his indigency affidavit, as required pursuant to this Court's Order of September 16, 1997, (See Paper Nos. 3 and 4). Based upon the information contained in the supplement, plaintiff shall be granted leave to proceed *in forma pauperis*, pursuant to 28 U.S. C. Section 1915 (a).

Plaintiff's complaint, filed September 11, 1997, appears to allege that personnel at the Walter Reed Army Medical Center where plaintiff was employed engaged in many harassing tactics, ultimately leading up to plaintiff's resignation in January, 1992. Plaintiff does not indicate that he ever initiated the requisite Administrative agency review before filing this lawsuit. Furthermore, his claim must be dismissed because it has been filed outside the applicable statute of limitations. While there is no express period of limitations in the Civil Rights Act, federal courts generally apply the most appropriate state statute of limitations to a claim filed under 42 U.S. C. Section 1983. See Wilson v. Garcia, 471 U.S. 261 (1985); Burnett v. Grattan, 468 U.S. 42 (1984); Cox v. Stanton, 529 F.2d 47, 49-50 (4th Cir. 1975). If this Court were to construe plaintiff's case as a civil rights action (rather than as an employment discrimination action for which administrative agency review appears not to have occurred), Maryland's general three-year statute of limitations for civil actions would be most applicable to the case at bar. See Md. Code Ann., Cts. & Jud. Proc., Section 5-101. (1989 Repl. Vol., 1992 Cum. Supp.).

Appendix D

Although the state statute of limitations applies, the time of accrual of the action is a federal question. Cox v. Stanton, 529 F.2d at 50. The running of the statute of limitations begins When plaintiff knows or has reason to know of his injury. (Id.). Here, plaintiff, at the latest, should have known of his injury In January 1992, when he quit his job. Because plaintiff failed to file the instant complaint until more than five years after said time period, it is clear that the statute of limitations now bars consideration of his claim.

Accordingly, a separate Order shall be entered, granting *in forma pauperis* status but dismissing plaintiff's complaint without first requiring service of process on defendant.

10/3/97

Marvin J. Garbis
United State District Judge

Appendix E

A Synopsis of **THE NOT ME CONSPIRACY**

In The Not Me Conspiracy, the government invades the public and private sectors of American society dressed in a continuous costume of duplicity, deception, deprivation and waste (a three billion-dollar taxpayer expense) to inflict involuntary servitude imprisonment upon an ordinary American, a productive citizen.

The invasive cost to the individual, to the values of American society, are non-essential factors. The unquenchable thirst of the conspirators is continuation, constancy, through any mechanism, through any means. To them, the Constitution of the United States does not exist. The Not Me conspirators camouflage their economic and psychological destructiveness while initiating their blundering, blocking, and constraining actions. They continuously deploy "people participants" to negatively impact an ordinary American, subjecting him to continuous stalking to serve their medical, psychological, and economic impairment.

The Not Me conspirators conceive tactical warfare to penetrate every aspect of an individual's life, yet through camouflage, seek never to be held accountable to our Constitutional system of government.

Told through the created identity of "Nine Teeth of the Chippewa", this is a true account of the government's invasive actions against an ordinary American.

Appendix F

Tamarind Literary Works
www.tamlitworks.com

Poetry

Winter Canvas

American Poems Volume Two And One

A Collective Poetry

Lichen Images

Maple Earth

Poems & Writings

The Looking Glass View

Depth Of Person

Non-Fiction

The Spherical Land

Unelected Entity

The Not Me Conspiracy