

FILED July 8, 2022

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 21-192  
(5:12-cv-00805-BO)

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In re: ARTHUR O. ARMSTRONG:

Petitioner,

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ORDER

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On October 15, 2021, motions to proceed under pre-filing injunction were denied by court order. On December 15, 2021, motion for rehearing was denied by court order. The office of the clerk shall not receive motions or other papers requesting further relief and the request received on July 5, 2022, is deemed moot.

For the Court – By Direction

/s/ Patricia S. Connor, Clerk

APPENDIX A.

In the United States District Court  
for the Eastern District of North Carolina  
Western Division

Arthur O. Armstrong,	)	No. 5:12-CV-508-BO	
.	)		
.	)		
.	)		
vs.	)		
.	)		
CALVIN WOODARD,	)		
OWNES, CLADS, E.,	)		
ROBERT EVANS,	)		
ROLAND LOFTIN,	)		
MILTON F. FITCH, JR.,	)		
DONALD W. STEPHEN,	)		
COLON WILLOUGHBY	)		
CYNTHIA THORNTON,	)		
THOMAS E. ASBELL, II,	)		
.	Defendants.	)	
.	)		
-----	)		
Arthur O. Armstrong,	)	No. 5:12-CV-807-F	
.	)		
.	)		
vs.	)		
Calvin Woodard,	)		
.	Defendant.		)
-----	)		
Arthur O. Armstrong,	)		No. 5:12-CV-808-F
.	Plaintiff,		

Filed 03/29/2013

**APPENDIX B**

vs.		)
Alliance Madza Kia,		)
	Defendant..	)
		)
Arthur O. Armstrong,		)
	Plaintiff,	)
		No. 5:12-cv-809-F
vs.		)
Donald W. Stephens,		)
Colon Willoughby,		)
	Defendants..	)

**Superseding Permanent Injunction**

This order supersedes the pre-filing injunctions previously issued by the court in In re: Armstrong No. 5:03-cv-941, 2006 WL 3408217, at #3(E.D.N.C., Jan. 18, 2006) aff'd, No. 06-1191 (4<sup>th</sup> Cir., Apr. 20. 2006), and Armstrong v Easley, No. 5:06-cv-495-D (E.D.N.C. Dec., 12 2006) aff'd No. 7-1045 (4<sup>th</sup> Cir. May 3, 2007) This order represents this court attempt to craft very specific restrictions on Arthur O. Armstrong's activities in this court without unduly restricting his access to the court.

**It is hereby ordered that:**

1. Arthur O. Armstrong ("Armstrong") may not file ANY document with the Eastern District of North Carolina UNLESS he first pays any outstanding monetary sanctions in full.
2. Subject to the foregoing and from the date of this order, Armstrong is SUBJECT to the following RESTRICTIONS.

Filed 03/29/13

- (a) Armstrong may file a complaint, provided it is accompanied by the appropriate filing fee. Application to proceed in forma pauperis shall not be accepted by the clerk.
- (b) Any complaint must specifically identify the law(s) which Armstrong alleges was (were) violated, and must allege all facts with specificity.
- (c) Until the court concludes that a complaint meets the requirements of subparagraph (b) and is otherwise repetitive or frivolous, Armstrong may not file any other document in this case, including any motions. Any attempt to file documents by Armstrong during this review period with result in the Clerk's office holding for his retrieval or returning the material to Armstrong without entry on the docket sheet by the clerk. The only exception to this subsection will be if the presiding district judge refers the complaint to a United States Magistrate Judge for a memorandum and recommendation. In that event, Armstrong will be allowed one response or objection to the memorandum or recommendation. All subsequent attempt to respond to the memorandum and recommendation or to file other documents will result in the Clerk's Office holding for his retrieval or returning the material to Armstrong without entry on the docket sheet by the Clerk.

Filed 03/29/13

(c) If the court concludes that the complaint meet the requirements of subparagraph (b), and is not otherwise repetitious and frivolous, Armstrong will be directed to prepare and submit summonses for issuance. No summons shall issue until ordered by the court.

( ) If the court concludes however, that the complaint fails to meet the requirements of subparagraph (b) and/or is repetitious or frivolous, the court will dismiss the complaint and will sanction Armstrong in an amount three times the district court filing fee.

( ) The final order will include a decision on whether an appeal from the order has merit. If the court determine that an appeal from the final order has merit, Armstrong will file a notice of appeal only if accompanied by the appropriate appellate filing fee. An application to proceed in forma pauperis shall not be accepted by the Clerk.

( ) Other than a notice of appeal as set forth in sub-paragraph (f), the court will not accept any further in any case that is dismissed or closed, including motion filed pursuant to Rule 60 (b)(6) of the Federal Rules of Civil Procedure. All such documents will be held for his retrieval or returned to Armstrong without entry on the docket sheet by the Clerk.

( ) Armstrong is hereby warned that violation of this pre-filing injunction may subject him to criminal contempt proceedings.

SO ORDERED

This the 29<sup>th</sup> day of March, 2013.

S/James C. Fox \_\_\_\_\_.  
Senior United States District Judge

**CONSPIRACY 42 U.S.C.S.1985 and 1986** If two or more persons in any State or Territory conspire to go in disguise on the highway or on the premise of another, for the purpose of depriving, either directly or any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State and Territory the equal protection of the law. Any act in the furtherance of object of such a conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the person injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

#### **FOURTH AMENDMENT**

The right of the people to be secure in their persons, house, paper and offices against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause supported by Oath or affirmation, and particularly describing the place to be searched and the persons or thing to be seized.

#### **Appendix C**

#### **FOURTEENTH AMENDMENT**

All persons born or nationalized in the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprived 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.

**42 U.S.C.S. 1983: Civil Action for deprivation of rights**

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purpose of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

**APPENDIX C**