APPENDICES:

Appendix A – Per Curiam of the United States Court of Appeals for the Fourth Circuit; Order:

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1940

DORA L. ADKINS,

Plaintiff - Appellant,

v.

HBL, LLC,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T. S. Ellis, III, Senior District Judge. (1:17-cv-00774-TSE-TCB)

Submitted: November 16, 2017 Decided: November 20, 2017

Before GREGORY, Chief Judge, and TRAXLER and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Dora L. Adkins, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

FILED: November 20, 2017

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1940
(1:17-cv-00774-TSE-TCB)

DORA L. ADKINS

Plaintiff - Appellant

v.

HBL, LLC

Defendant - Appellee

J U D G M E N T

In accordance with the decision of this court, this appeal is dismissed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK

PER CURIAM:

Dora L. Adkins appeals from five district court orders entered in her unsuccessful civil action. We have reviewed the record and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for the reasons stated by the district court. *Adkins v. HBL, LLC*, No. 1:17-cv-00774-TSE-TCB (E.D. Va. filed July 18, 2017 & entered July 19, 2017; filed July 25, 2017 & entered July 26, 2017; filed Aug. 1, 2017 & entered Aug. 2, 2017; Aug. 2, 2017; Aug. 11, 2017). 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.

DISMISSED

Appendix B - Petition for Rehearing and Rehearing En Banc by the United States Court of Appeals for the Fourth Circuit; Order granting Motion to Supplement, Stay of Mandate and Order and Formal Mandate:

FILED: December 4, 2017

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1940
(1:17-cv-00774-TSE-TCB)

DORA L. ADKINS

Plaintiff - Appellant

v.

HBL, LLC

Defendant - Appellee

O R D E R

Upon consideration of submissions relative to the motion to supplement, the court grants the motion to supplement the rehearing as filed. No further supplement may be filed.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

FILED: November 29, 2017

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1940
(1:17-cv-00774-TSE-TCB)

DORA L. ADKINS

Plaintiff - Appellant

v.

HBL, LLC

Defendant - Appellee

STAY OF MANDATE UNDER
FED. R. APP. P. 41(d)(1)

Under Fed. R. App. P. 41(d)(1), the timely filing of a petition for rehearing or rehearing en banc or the timely filing of a motion to stay the mandate stays the mandate until the court has ruled on the petition for rehearing or rehearing en banc or motion to stay. In accordance with Rule 41(d)(1), the mandate is stayed pending further order of this court.

/s/Patricia S. Connor, Clerk

FILED: January 2, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1940
(1:17-cv-00774-TSE-TCB)

DORA L. ADKINS

Plaintiff - Appellant

v.

HBL, LLC

Defendant - Appellee

ORDER

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc.

Entered at the direction of the panel: Chief Judge Gregory, Judge Traxler and Judge Keenan.

For the Court

/s/ Patricia S. Connor, Clerk

FILED: January 10, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1940
(1:17-cv-00774-TSE-TCB)

DORA L. ADKINS

Plaintiff - Appellant

v.

HBL, LLC

Defendant - Appellee

M A N D A T E

The judgment of this court, entered 11/20/2017, takes effect today.

This constitutes the formal mandate of this court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

/s/Patricia S. Connor, Clerk

Appendix C – In the U. S. District Court for the Eastern District of Virginia, Orders: Order, Dated, July 18, 2017; Order, Dated, July 25, 2017; Order," Dated, August 1, 2017; Order, Dated, August 2, 2017; and Order, Dated, August 11, 2017.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

DORA L ADKINS,	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 1:17-cv-774**
	)	
HBL, LLC *et al.*,	)	
Defendants.	)	

ORDER

The matter is before the Court on a *sua sponte* review of the record. Because it is apparent from the face of the complaint that subject matter jurisdiction is lacking, this matter must be dismissed without prejudice.

On July 7, 2017, the *pro se* plaintiff filed a prolix, meandering complaint against defendant HBL, LLC (an insurance company) and, apparently, several Mercedes-Benz service stations in the greater Washington, D.C. area. Plaintiff alleges four state-law causes of action: (1) Conspiracy, (2) Breach of Contract, (3) Gross Negligence, and (4) Intentional Infliction of Emotional Distress. Plaintiff's somewhat nebulous complaint appears to accuse defendants of *inter alia*, failing to service plaintiff's Mercedes properly, stealing plaintiff's jewelry and library card, and conspiring to kill plaintiff. Plaintiff also contends that some service stations embarrassed her by unlawfully refusing to service her car altogether because she has repeatedly sued those stations. Plaintiff further claims that because her vehicle is currently inoperable, and because she is "allergic to smells and odors from public transportation," she has suffered severe emotional distress. Compl. at 29. The complaint seeks $36,701.67 in compensatory damages, based on an itemized list of costs plaintiff attributes to defendants' misconduct, as well as $50,000,000 in punitive damages—ten million for each count, plus another ten million for good measure "as a Prima Facie Case and/or whatever else the Court deem [sic] appropriate." *Id.* at 41.

Importantly, federal courts are "courts of limited subject matter jurisdiction, and as such there is no presumption that the court has jurisdiction." *Pinkley, Inc. v. City of Frederick, Md.*, 191 F.3d 394, 399 (4th Cir. 1999). In fact, "[a] federal court is obliged to dismiss a case whenever it appears the court lacks subject matter jurisdiction." *Lovern v. Edwards*, 190 F.3d 648, 654 (4th Cir. 1999) (citing Fed. R. Civ. P. 12(h)(3)).[1] Questions of subject matter jurisdiction, therefore, "may (or more precisely, must) be raised *sua sponte* by the court." *Brickwood Contractors, Inc. v. Datanet Eng'g, Inc.*, 369 F.3d 385, 390 (4th Cir. 2004) (en banc). In this respect, "the facts providing the court jurisdiction must be affirmatively alleged in the complaint." *Pinkley*, 191 F.3d at 399. A complaint must therefore allege facts supporting at least one of two potential bases for subject matter jurisdiction: federal question jurisdiction or diversity jurisdiction. *See* 28 U.S.C. § 1331 (federal question); *id.* § 1332 (diversity).

Here, the complaint, even charitably construed, does not allege any basis for subject matter jurisdiction. To begin with, there no federal question jurisdiction, as plaintiff's four claims arise out of state law and do not present any federal question. *See* 28 U.S.C. § 1331.

Similarly, the complaint fails to allege any plausible basis for concluding that diversity jurisdiction exists. *See id.* § 1332. Section 1332 requires complete diversity of citizenship among the adverse parties and an amount in controversy exceeding $75,000.00. *See id.* Yet, the allegations regarding the amount in controversy need not be taken at face value where, as here, it is apparent that they were not made in good faith. *See, e.g.*, *St. Paul Mercury Indem. Co. v. Red Cab Co.*, 303 U.S. 283, 288-89 (1938) (requiring the allegation regarding the amount in

[1] Rule 12(h)(3), Fed. R. Civ. P., provides that "[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action."

controversy be made in good faith and providing that a claim may be dismissed if it appears "to a legal certainty that the claim is really less than the jurisdictional amount"); *Wiggins v. N. Am. Equitable Life Assurance Co.*, 644 F.2d 1014, 1016-17 (4th Cir. 1981) (stating that the jurisdictional amount must be alleged in good faith). Furthermore, it is important to note that Virginia law "imposes a heavy burden on a plaintiff seeking punitive damages." *Blakely v. Austin-Weston Ctr. for Cosmetic Surgery, L.L.C.*, 348 F. Supp. 2d 673, 677 (E.D. Va. 2004) (quotation marks omitted). Indeed, in Virginia, the standard for establishing punitive damages is beyond even gross negligence. *See id.*; *Doe v. Isaacs*, 265 Va. 531 (2003). Rather, punitive damages are appropriate where the defendant engaged in conduct that "either approaches actual malice or exhibits extreme recklessness resulting in clearly foreseeable and immediate injury." *Cummings v. Fisher-Price, Inc.*, 857 F. Supp. 502, 505 (W.D. Va. 1994) (collecting cases). This is so because the primary purpose of punitive damages is to "punish the wrongdoer if he has acted wantonly, oppressively, or with such malice as to evince a spirit of malice or criminal indifference to civil obligations," as "[w]illful or wanton conduct imports *knowledge and consciousness that injury will result* from the act done." *Wallen v. Allen*, 231 Va. 289, 297 (1986) (quotation marks omitted) (emphasis in original).

These principles, applied here, compel the conclusion that there is no diversity jurisdiction over this case. The complaint is not only devoid of any allegation regarding diversity of citizenship, but it is also fatally lacking with respect to the amount-in-controversy requirement. In this regard, the complaint catalogues plaintiff's actual damages and alleges a grand total of $36,701.67 in compensatory damages—well below the $75,000 threshold. And the claim of $50,000,000 in punitive damages—$10,000,000 for each count, plus another

$10,000,000 "as a Prima Facie Case and/or whatever else the Court deem [sic] appropriate"[2]—is utterly frivolous and cannot be viewed as a good faith allegation. To begin with, Virginia law limits the recovery of punitive damages in "any action accruing on or after July 1, 1988" to $350,000. Va. Code § 8.01-38.1.[3] More fundamentally, plaintiff's damages claim does not plausibly allege that defendants "acted wantonly, oppressively, or with such malice as to evince a spirit of malice or criminal indifference to civil obligations." *Wallen*, 231 Va. at 297. Rather, the complaint on its face appears to recognize that defendants do not wish to enter contracts with plaintiff because she keeps suing them. *See* Compl. at 8, 35. The remaining allegations comprise bizarre accusations, including claims that defendants stole her library card and attempted to kill her. In this context, it is evident that plaintiff has alleged punitive damages in bad faith. Indeed, this finding of plaintiff's bad faith is bolstered by the fact that she is a serial filer in this district who routinely seeks similarly outlandish punitive damages awards.[4]

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[2] Compl. at 41.

[3] It is also worth noting that, in Virginia, a party may not recover punitive damages on a breach of contract claim unless that party alleges an independent, willful tort; in other words, the breach of contract must also be an independent, willful tort arising from a common law duty. *See Dunn Construction Co., Inc. v. Cloney*, 278 Va. 260, 266-67 (2009); *Kamlar Corp. v. Haley*, 224 Va. 669 (1983).

[4] Plaintiff has been placed under several pre-filing injunctions in this district, alone. *See, e.g.*, *Adkins v. Fairfax Cnty. Sch. Bd.*, No. 1:09-mc-27 (E.D. Va. June 11, 2009) (denying plaintiff leave to file a seventh lawsuit against the Fairfax County School Board). She has also filed meritless claims seeking: (1) four million dollars in punitive damages against a storage company for allegedly spraying plaintiff's storage unit with an unknown chemical in an effort to injure or kill her, *see* Case No. 1:16-cv-1556; (2) five million dollars in punitive damages against a bank for foreclosing on plaintiff's property, *see* Case No. 1:14-cv-563; and (3) eight hundred million dollars in punitive damages against Whole Foods, stemming from plaintiff's alleged death and resurrection caused by food poisoning, *see* Case No. 1:16-cv-31. In short, plaintiff's lack of good faith is clear; thus, she will not be permitted to circumvent constitutional and statutory limits on a federal court's jurisdiction by asserting absurd amounts of punitive damages.

In short, it is apparent from the face of the complaint that this action satisfies neither of § 1332's requirements for subject matter jurisdiction. The matter must thus be dismissed without prejudice. *See S. Walk at Broadlands Homeowner's Ass'n, Inc. v. OpenBand at Broadlands, LLC*, 713 F.3d 175, 185 (4th Cir. 2013) ("A dismissal for ... any ... defect in subject matter jurisdiction ... must be one without prejudice, because a court that lacks jurisdiction has no power to adjudicate and dispose of a claim on the merits.").

Accordingly, and for good cause,

It is hereby **ORDERED** that the complaint is **DISMISSED WITHOUT PREJUDICE.**

Plaintiff is reminded that the filing of frivolous pleadings could result in the issuance of an Order (1) imposing significant monetary sanctions and (2) enjoining plaintiff from filing additional pleadings. *See* Rule 11, Fed. R. Civ. P. (providing that a party may be sanctioned if a party's claims are frivolous); *Cromer v. Kraft Foods N.A., Inc.*, 390 F.3d 812 (4th Cir. 2004) (discussing the standards governing prefiling injunctions).

Should plaintiff wish to appeal, she must do so by filing a written notice of appeal with the Clerk's Office within thirty (30) days of the entry date of this Order, pursuant to Rules 3 and 4, Fed. R. App. P. A written notice of appeal is a short statement that indicates a desire to appeal and notes the date of the Order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the court.

The Clerk is directed to send a copy of this Order to all counsel of record and to plaintiff, and to close this civil action.

Alexandria, Virginia
July 18, 2017

/s/

T. S. Ellis, III
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

DORA L ADKINS,	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 1:17-cv-774**
	)	
HBL, LLC *et al.*,	)	
Defendants.	)	

ORDER

The matter is before the Court on plaintiff's motion for leave to file an amended complaint (Doc. 5) alleging common law claims of conspiracy, breach of contract, gross negligence, and intentional infliction of emotional distress against an insurance company and several Mercedes Benz dealerships.

On July 18, 2017, an Order issued, dismissing this action without prejudice for lack of subject matter jurisdiction. *See Adkins v. HBL, LLC*, No. 1:17-cv-774 (E.D. Va. July 18, 2017). The matter was dismissed because it was apparent that the complaint lacked any basis for federal question or diversity jurisdiction. *See* 28 U.S.C. §§ 1331 & 1332. Indeed, the initial complaint alleged no federal claims, and the amount in controversy totaled less than $40,000 in actual damages. Notably, plaintiff, in her original complaint, attempted to circumvent the requirements of federal subject matter jurisdiction by alleging an astronomical, absurd amount of punitive damages—50 million dollars.[1]

A week later, on July 24, 2017, plaintiff filed a motion for leave to amend the complaint. In support of the motion, plaintiff asserts that she has included a section in the amended

[1] The July 18, 2017 Order recounts the complaint's factual allegations, the grounds for dismissal, and a number of plaintiff's prior meritless lawsuits filed in this district.

complaint addressing diversity of citizenship and additional facts to support her claim for punitive damages. To be sure, Rule 15(a)(1)(A), Fed. R. Civ. P., provides that "[a] party may amend its pleading as a matter of course within ... 21 days of serving it[.]" Thus, plaintiff's amended complaint will be deemed properly filed and the motion for leave will be denied as moot.

Yet, a review of the amended complaint reveals that there is still no subject matter jurisdiction here, because plaintiff has not alleged a sufficient amount in controversy in good faith. *See, e.g., Brickwood Contractors, Inc. v. Datanet Eng'g, Inc.*, 369 F.3d 385, 390 (4th Cir. 2004) (en banc) (holding that courts must raise issues of subject matter jurisdiction *sua sponte*); *St. Paul Mercury Indem. Co. v. Red Cab Co.*, 303 U.S. 283, 288-89 (1938) (requiring the allegation regarding the amount in controversy be made in good faith and providing that a claim may be dismissed if it appears "to a legal certainty that the claim is really less than the jurisdictional amount"). In this respect, plaintiff has essentially repeated the same allegations that have already been rejected as having been made in bad faith. Specifically, plaintiff alleges that despite the fact that her actual damages do not surpass $40,000, a historic punitive damages award of $50,000,000[2] is warranted because defendants allegedly (1) failed to wash plaintiff's car properly, (2) stole her library card and $2,000 in jewelry, and (3) refused to do business with her plaintiff, a serial filer in this district, keeps suing each service station she visits. In short, it is undeniable that plaintiff's continued attempt to manufacture an amount in controversy sufficient to confer subject matter jurisdiction in this matter is, once again, frivolous and made in bad faith. Simply put, a bad faith allegation of punitive damages will not rescue a claim that otherwise fails to meet the jurisdictional amount-in-controversy requirement.

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[2] *See* Va. Code § 8.01-38.1 (limiting punitive damages awards to $350,000).

Accordingly, and for good cause,

It is hereby **ORDERED** that plaintiff's motion for leave to file an amended complaint is **DENIED AS MOOT** in light of Rule 15(a)(1)(A), Fed. R. Civ. P.

It is further **ORDERED** that the amended complaint is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

It is further **ORDERED** that the hearing scheduled for August 4, 2017 is **CANCELED.**

The dismissal of this action without prejudice is not an invitation to file a second amended complaint. Plaintiff is admonished that a federal district court is not a venue in which to file frivolous claims. Any further frivolous pleadings in this matter will result in the issuance of an Order requiring plaintiff to show cause why significant monetary sanctions and a prefiling injunction should not be imposed.

Should plaintiff wish to appeal, she must do so by filing a written notice of appeal with the Clerk's Office within thirty (30) days of the entry date of this Order, pursuant to Rules 3 and 4, Fed. R. App. P. A written notice of appeal is a short statement that indicates a desire to appeal and notes the date of the Order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the court.

The Clerk is directed to send a copy of this Order to all counsel of record and to plaintiff, and to close this civil action.

Alexandria, Virginia
July 25, 2017

/s/

T. S. Ellis, III
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

DORA L. ADKINS,	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 1:17-cv-774**
	)	
HBL, LLC *et al.*,	)	
Defendants.	)	

ORDER

The *pro se* plaintiff's first two complaints in this diversity action were dismissed for want of subject matter jurisdiction. Specifically, plaintiff's claims fell far short of satisfying the amount-in-controversy requirement of 28 U.S.C. § 1332, as plaintiff alleged less than $40,000 in damages and made outlandish, bad faith allegations that she is entitled to $50,000,000 in punitive damages. Now, plaintiff purports to file a Second Amended Complaint ("SAC") as a "matter of course," presumably pursuant to Rule 15(a), Fed. R. Civ. P. But because Rule 15 permits amendment as a matter of course only "once," and because plaintiff has already availed herself of that Rule, plaintiff must obtain leave to file the SAC. *See* Rule 15(a)(1)–(2). Plaintiff's purported filing of the SAC is therefore charitably construed as a motion for leave to amend her previous frivolous complaint. It is apparent, however, that amendment is futile, as the SAC still fails to allege in good faith sufficient factual matter to satisfy the amount-in-controversy threshold. *See United States v. Pittman*, 209 F.3d 314, 317 (4th Cir. 2000) ("[L]eave to amend shall be given freely, absent ... futility of amendment."); 28 U.S.C. § 1332 (requiring amount in controversy to exceed $75,000). Indeed, plaintiff's allegations in the SAC are essentially identical to those in her previous complaints. Thus, for the reasons already stated in the previous Orders in this matter, it is apparent that the SAC lacks sufficient allegations to confer subject matter jurisdiction. *See* Docs. 4 & 7.

Accordingly, and for good cause,

It is further **ORDERED** that plaintiff's motion to amend is **DENIED AS FUTILE.** Plaintiff is admonished that her remedy is to appeal or file her claims in state court, not to file another amended complaint in this district. Plaintiff is further warned that any further frivolous pleadings in this matter will result in the issuance of an Order requiring plaintiff to show cause why significant monetary sanctions and a prefiling injunction should not be imposed. *See* Rule 11, Fed. R. Civ. P.[1]

Should plaintiff wish to appeal, she must do so by filing a written notice of appeal with the Clerk's Office within thirty (30) days of the entry date of this Order, pursuant to Rules 3 and 4, Fed. R. App. P. A written notice of appeal is a short statement that indicates a desire to appeal and notes the date of the Order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the court.

The Clerk is directed to send a copy of this Order to all counsel of record and to plaintiff, and to close this civil action.

Alexandria, Virginia
August 1, 2017

/s/
T. S. Ellis, III
United States District Judge

[1] Plaintiff has already been warned that she may be subject to sanctions and a prefiling injunction in connection with her filings in this case. Yet, it is unclear whether plaintiff received notice of the previous order dismissing her amended complaint before plaintiff filed the SAC.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

DORA L. ADKINS, **Plaintiff,**	)	
	)	
v.	)	**Case No. 1:17-cv-774**
	)	
HBL, LLC *et al.*, **Defendants.**	)	

ORDER

The *pro se* plaintiff has filed a "Request For Leave From Court For Plaintiff's Request For Entry of Default" (Doc. 9). Because this matter has been dismissed and plaintiff is not permitted to amend her complaint, the instant "Request For Leave" will be denied as moot.[1]

Accordingly, and for good cause,

It is hereby **ORDERED** that plaintiff's request (Doc. 9) is **DENIED AS MOOT**.[2]

The Clerk is directed to send a copy of this Order to all counsel of record and to the *pro se* plaintiff.

Alexandria, Virginia
August 2, 2017

T. S. Ellis, III
United States District Judge

[1] Even if there were a live case or controversy here, plaintiff's request would still be denied as frivolous. Indeed, plaintiff's request reflects a fundamental misunderstanding of Rule 55, Fed. R. Civ. P. and the effect of the dismissal of a complaint—and the filing of amended pleadings—on the response deadlines imposed on a defendant.

[2] On August 1, 2017, an Order issued, denying plaintiff leave to file a Second Amended Complaint. *See* Doc. 10. That Order warned plaintiff that any further frivolous filings would result in the imposition of sanctions and a prefiling injunction. Yet, because it appears that plaintiff filed the instant request before that Order issued, plaintiff will not be sanctioned for the instant request.

removed from state court). Because plaintiff's complaints were dismissed without prejudice, however, there is no bar to her filing a new action in state court to press her claims against defendants. This federal case, however, is over: Plaintiff must not file any further pleadings in this matter, with the exception of a notice of appeal should she wish to pursue an appeal.

Accordingly, and for good cause,

It is hereby **ORDERED** that plaintiff's Motion for Leave from Court for Motion for the Removal of Complaint to Fairfax County Circuit Court (Doc. 12) is **DENIED**.

Plaintiff is reminded that the filing of frivolous pleadings could result in the issuance of an Order (1) imposing significant monetary sanctions and (2) enjoining plaintiff from filing additional pleadings. *See* Rule 11, Fed. R. Civ. P. (providing that a party may be sanctioned if a party's claims are frivolous); *Cromer v. Kraft Foods N.A., Inc.*, 390 F.3d 812 (4th Cir. 2004) (discussing the standards governing prefiling injunctions).

Should plaintiff wish to appeal, she must do so by filing a written notice of appeal with the Clerk's Office within thirty (30) days of the entry date of this Order, pursuant to Rules 3 and 4, Fed. R. App. P. A written notice of appeal is a short statement that indicates a desire to appeal and notes the date of the Order plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the court.

The Clerk is directed to send a copy of this Order to all counsel of record and to plaintiff.

Alexandria, Virginia
August 11, 2017

T. S. Ellis, III
United States District Judge