

APPENDIX INDEX

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Docket Nos. 24-3369 & 25-1062 (U.S. Court of Appeals for the Third Circuit)

March 4, 2025

Title: *Order Denying Post-Judgment Motions and Rehearing Relief*

Description:

On March 4, 2025, *the U.S. Court of Appeals for the Third Circuit, per curiam and with Circuit Judges Shwartz, Matey, and Chung* presiding, issued an order denying six post-judgment filings submitted by appellant *Brian Troy Woltz*. These included a motion to stay execution and suspend all state proceedings pending rehearing, a motion for a comprehensive docket audit, and multiple filings asserting judicial accountability, irreparable harm, and demands for redress.

The court denied all relief without comment or explanation, issuing a blanket denial of all motions and notices. The order was issued without requesting a response from appellees and without oral argument.

Narrative of Irregularities:

This order continues the Third Circuit's pattern of procedural disengagement and summary denial. Despite the gravity of the filings—which included verified affidavits, constitutional claims, and formal demands for judicial compliance—the court issued a per curiam denial without addressing any factual or legal substance.

The denial of the motion to stay execution pending rehearing, in particular, reflects a refusal to consider the risk of irreparable harm or the merits of the underlying constitutional claims. The absence of any explanation or engagement with the record reinforces the appearance of structural foreclosure and predetermined disposition. The inclusion of a motion for a comprehensive docket audit—intended to address systemic irregularities in service, notice, and panel assignment—was similarly disregarded without inquiry or response. This further underscores the lack of procedural transparency and adversarial balance in the appellate process.

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UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Nos. 24-3369 & 25-1062

BRIAN TROY WOLTZ,
Appellant

v.

SUSAN GOOD; ET AL.

(E.D. Pa. No. 2:24-cv-06702)

Present: SHWARTZ, MATEY, and CHUNG, Circuit Judges

1. Motion filed by Appellant Brian Troy Woltz to stay execution and suspension of all state proceedings pending petition for rehearing;
2. Motion filed by Appellant Brian Troy Woltz for comprehensive docket audit;
3. Document filed by Appellant Brian Troy Woltz titled notice of judicial accountability and demand for oath compliance;
4. Document filed by Appellant Brian Troy Woltz;
5. Document filed by Appellant Brian Troy Woltz titled affidavit of irreparable harm & formal demand for judicial redress;
6. Document filed by Appellant Brian Troy Woltz titled notice of continued action & legal standing urgent notice of judicial obligation & corrective action.

Respectfully,
Clerk/lmr

ORDER

PER CURIAM:

The foregoing motions are **DENIED**.

Dated: March 4, 2025
Lmr/cc: Brian Troy Woltz

Appendix A-6

**Docket Nos. 24-3369 & 25-1062 (U.S. Court of Appeals for the Third Circuit)
March 28, 2025**

Title: *Final Order and Summary Affirmance of District Court Dismissal and Filing Injunction*

Description:

On March 28, 2025, *the U.S. Court of Appeals for the Third Circuit issued* its final order in consolidated appeals *24-3369 and 25-1062*, summarily affirming the District Court's December 20, 2024 dismissal of the underlying civil action as malicious and its January 10, 2025 imposition of a filing injunction against appellant *Brian Troy Woltz*. The panel—composed of *Circuit Judges Shwartz, Matey, and Chung*—found no substantial question warranting further review and affirmed pursuant to *3d Cir. I.O.P. 10.6*.

The Court cited *Deutsch v. United States*, 67 F.3d 1080 (3d Cir. 1995), and *Brow v. Farrelly*, 994 F.2d 1027 (3d Cir. 1993), in support of its conclusion that the District Court acted within its discretion. The order also denied all other pending motions and filings, including verified objections, evidentiary supplements, and emergency motions for stay and docket audit.

Narrative of Irregularities:

This final order concludes a pattern of procedural foreclosure and summary disposition. Despite the extensive record of verified filings, constitutional claims, and procedural objections submitted by the appellant, the Third Circuit issued a blanket affirmance without oral argument, briefing from appellees, or factual engagement.

The Court's reliance on summary affirmance under *I.O.P. 10.6*, without addressing the appellant's verified objections to the record, allegations of judicial misconduct, or requests for equitable relief, underscores the structural barriers to meaningful appellate review.

Crucially, this final order was issued after the panel of judges had been definitively notified that a formal judicial misconduct complaint was pending before *the Chief Judge of the Third Circuit's executive office*. The panel proceeded to affirm the challenged rulings without disclosing any consideration of that complaint or its implications for impartiality and procedural integrity.

The timing and tone of the order—particularly its sweeping denial of all relief and its summary affirmance of sanctions—raise serious concerns about retaliatory adjudication. The Court’s failure to acknowledge the pending misconduct proceedings or to recuse itself from adjudicating matters directly implicated in that complaint undermines confidence in the fairness and independence of the appellate process.

The issuance of the certified judgment “in lieu of a formal mandate” further reflects the Court’s expedited closure of the matter, bypassing standard procedural safeguards. The denial of all other relief—without explanation—reinforces the appearance of predetermined adjudication and institutional non-responsiveness.

Document Status:

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OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
31400 UNITED STATES COURTHOUSE
601 MARKET STREET

PHILADELPHIA, PA 19106-1790

Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

March 28, 2025

Mr. George V. Wyleaol
United States District Court for the Eastern District of Pennsylvania
James A. Byrne United States Courthouse
601 Market Street
Philadelphia, PA 19106

RE: Brian Woltz v. Susan Good, et al
Case Number: 24-3369
District Court Case Number: 2:24-cv-06702

Dear District/Bankruptcy Clerk

Enclosed herewith is the certified judgment together with copy of the opinion or certified copy of the order in the above-captioned case(s). The certified judgment or order is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

Counsel are advised of the issuance of the mandate by copy of this letter. The certified judgment or order shows costs taxed, if any.

Very truly yours,
Patricia S. Dodszuweit, Clerk

By: s/Laurie
Case Manager
267-299-4936
cc: Brian Troy Woltz,

BLD-082-E

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. Nos. 24-3369 & 25-1062 (consolidated)

BRIAN TROY WOLTZ,
Appellant

VS.

SUSAN GOOD; ET AL.

(E.D. Pa. Civ. No. 2:24-cv-06702)

Present: SHWARTZ, MATEY, and CHUNG, Circuit Judges

Submitted:

- (1) By the Clerk for possible dismissal pursuant to 28 U.S.C. § 1915(e)(2) or summary action pursuant to Third Circuit L.A.R. 27.4 and I.O.P. 10.6.;
- (2) Appellant's "Supplemental Notice of Filing Response to Rule to Show Cause," filed in C.A. No. 24-3369 only;
- (3) Appellant's "Equitable Presentation of Grounds for Appeal Summary," filed in C.A. No. 24-3369 only;
- (4) Appellant's "Supplemental Notice of Filing and Lodgment," filed in C.A. No. 24-3369 only;
- (5) Appellant's "Supplement to Record on Appeal for Verified Formal Objection, Demand for Rectification, Demand for Judicial Accountability and Procedural Compliance," filed in C.A. No. 24-3369 only;

(continued)

RE: Woltz v. Good
C.A. Nos. 24-3369 & 25-1062
Page 2

- (6) Appellant's "Amended Relief Sought for Consolidated Appeals";
- (7) Appellant's "Supplemental Notice of Additional Evidence in Support of Emergency Motion to Expedite Amended Emergency Motion for Stay of Execution, All State Proceedings, and Formal Request for Docket Audit";
- (8) Appellant's "Emergency Motion for Immediate Stay of Execution, Suspension of State Proceedings, and Formal Request for Docket Audit Pending Appellate Review";
- (9) Appellant's "Motion for Clarification and Request for Administrative Stay Pending Correction of the Record"; and
- (10) Appellant's "Supplemental Affidavit in Support of Emergency Motion for Immediate Stay of Execution"

in the above-captioned cases.

Respectfully,

Clerk

ORDER

In these consolidated appeals, Appellant challenges (1) the District Court's order, entered December 20, 2024, dismissing his serial civil action as malicious, and (2) the District Court's January 10, 2025 order imposing a filing injunction against him. We have jurisdiction to review those decisions pursuant to 28 U.S.C. § 1291. For substantially the reasons provided by the District Court, we see no reason to disturb either decision. See Deutsch v. United States, 67 F.3d 1080, 1086 (3d Cir. 1995) (explaining that a civil action is malicious if it is "an attempt to vex, injure or harass the defendant"); Brow v. Farrelly, 994 F.2d 1027, 1038 (3d Cir. 1993) (explaining that a district court may impose a filing injunction against a litigant if that court (1) ensures that the situation presents "exigent circumstances, such as [the] litigant's continuous abuse of the judicial process by filing

meritless and repetitive actions,” (2) allows the litigant “to show cause why the proposed injunctive relief should not issue,” and (3) “narrowly tailor[s]” the filing injunction “to fit the particular circumstances of the case before [that court]”. Because these appeals do not present a substantial question, we summarily affirm the two District Court decisions at issue here. See 3d Cir. I.O.P. 10.6. To the extent that Appellant seeks any other relief from us, that relief is denied.

By the Court,

s/ Paul B. Matey

Circuit Judge

Dated: February 19, 2025
Lmr/cc: Brian Troy Woltz
All Counsel of Record



Certified ~~as a true copy~~ and issued in lieu
of a formal mandate on March 28, 2025

Teste: Patricia A. Dodge
Clerk, U.S. Court of Appeals for the Third Circuit

Appendix B

U.S. District Court for the Eastern District of Pennsylvania

This appendix preserves critical orders and memoranda entered by the U.S. District Court for the Eastern District of Pennsylvania across multiple consolidated civil matters involving pro se petitioner Brian Troy Woltz. These cases arose from systemic failures in the Bucks County Court of Common Pleas and the Superior Court of Pennsylvania, where verified constitutional and equitable claims were ignored or procedurally foreclosed.

The included rulings demonstrate a consistent pattern of federal courts acknowledging serious allegations of fraud, trust breaches, due-process violations, and judicial misconduct—yet refusing to engage with them on the merits. Across these dockets, the Eastern District dismissed mandamus petitions, equitable complaints, and constructive trust claims without discovery, hearings, or factual review, citing narrow jurisdictional rules and formalistic reasoning.

Instead of addressing systemic wrongs, these decisions remanded matters to the same state courts accused of misconduct, effectively shielding local actors from accountability. The resulting pre-filing threats, procedural dismissals, and final denials reflect a broader judicial strategy of administrative insulation rather than equitable intervention.

Appendix B preserves this federal record as evidence of a complete failure of judicial oversight and equitable protections, documenting how procedural tools were used to silence meritorious claims of constitutional deprivation and trust-based harm.

Appendix B-1

Docket No. 2:24-cv-04529-KNS (U.S. District Court, E.D. Pa.)

Related to Bucks County Docket No. 2024-02434

September 4, 2024

Title: Memorandum and Order Dismissing Mandamus Petition and Remanding State Case

Description:

On September 4, 2024, *the U.S. District Court for the Eastern District of Pennsylvania, per the Honorable Kai N. Scott*, issued a memorandum and order in response to pro se petitioner *Brian Troy Woltz's* filings, which included petitions for *writs of mandamus* and a notice of removal of state court proceedings. The court granted Woltz's motion to proceed in forma pauperis under *28 U.S.C. § 1915* but dismissed the mandamus petitions without prejudice for lack of subject matter jurisdiction.

The court also remanded the underlying state court action (*Good v. Woltz, No. 2024-02434*) to *the Bucks County Court of Common Pleas* under *28 U.S.C. § 1447(c)*, citing failure to establish federal question or diversity jurisdiction. The court denied leave to amend, declaring any such attempt futile.

Narrative of Irregularities:

This order exemplifies the federal court's refusal to engage with the substance of verified constitutional and equitable claims. Despite acknowledging the petitioner's allegations of judicial misconduct, constructive trust violations, and procedural obstruction, the court dismissed the case without a hearing, without discovery, and without addressing the merits.

The court's memorandum conceded that the petitioner had submitted extensive documentation—including docket sheets, affidavits, and verified notices—but dismissed the filings as “legal maxims” and “conclusory.” It ignored the petitioner's claims of deceptive conduct by state actors, including the retention of funds and manipulation of trial scheduling.

The court's jurisdictional analysis relied on rigid formalism, invoking the “well-pleaded complaint” rule to deny federal question jurisdiction, and faulting the petitioner for not alleging state citizenship to support diversity—despite the pro se status and the equitable nature of the claims.

By remanding the case and threatening a pre-filing injunction, the court effectively insulated the state court's conduct from federal oversight. This ruling reflects a broader

pattern of procedural foreclosure and judicial evasion, where federal courts acknowledge constitutional claims only to disclaim jurisdiction over them—leaving the petitioner without a forum for redress.

Document Status:

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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN TROY WOLTZ,
Plaintiff,

v.

SUSAN GOOD, *et al.*,
Defendants.

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CIVIL ACTION NO. 24-CV-4529

BRIAN TROY WOLTZ,
Plaintiff,

v.

SUSAN GOOD, *et al.*,
Defendants.

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CIVIL ACTION NO. 24-CV-4532

MEMORANDUM

SCOTT, J.

SEPTEMBER ¹⁴/₁, 2024

Brian Troy Woltz filed these two petitions for writs of mandamus on August 28, 2024. Several days later, Woltz submitted a letter enclosing documents with the caption for Civil Action 24-4529. These documents include, *inter alia*, a Notice of Removal of an action pending in the Bucks County Court of Common Pleas. Woltz also seeks leave to proceed *in forma pauperis*. For the following reasons, the Court will grant Woltz leave to proceed *in forma pauperis*, dismiss his mandamus cases without prejudice for lack of subject matter jurisdiction, and remand the state court case for lack of subject matter jurisdiction.

I. FACTUAL ALLEGATIONS¹

¹ The factual allegations set forth in this Memorandum are taken from Woltz's Petition for Writ of Mandamus in Civ. No. 24-4529 (ECF No. 2). The Petitions filed in the two cases are identical. The other documents Woltz submitted were filed only in Civil Action 24-4529. The

Woltz's factual allegations consist primarily of legal citations and statements of supposed "maxims." The Petitions are captioned for the "Supreme Court of Pennsylvania Eastern District," but Woltz used this Court's Electronic Document Submission tool to file them, indicating that he intended to file new cases in this Court, and completed this Court's Civil Cover Sheet, checking the box indicating the nature of suit as "Other Civil Rights."

Referring to two cases pending in the Bucks County Court of Common Pleas styled *Good v. Woltz*, No. 2024-02434, and *Woltz v. Good*, No. 2024-04334, he alleges that the judge assigned to those cases has failed to act on "numerous motions, including motions for default judgment and requests for expedited decisions." (Compl. at 1-2.) He seeks an order from this Court to compel the state court "to honor its judicial responsibilities, act in accordance with the principles of equity, and render decisions that provide the relief" he seeks. (*Id.* at 3.) Attached to his Petitions are copies of docket sheets, motions, and other papers from the Bucks County Court of Common Pleas. (*Id.* at 8-23.)

The Notice of Removal references one of the Bucks County cases, No. 2024-2434. (*See* ECF No. 4 at 44.) Woltz claims that the case is scheduled for a waiver trial on September 9, 2024. He asserts that this Court has jurisdiction under both the federal question and diversity of citizenship statutes, 28 U.S.C. §§ 1331, 1332. However, he provides no facts to support these conclusory jurisdictional allegations and he did not attach a copy of the state court complaint to the notice of removal. In one of the other documents he submitted with his Letter, a Petition for Extraordinary Relief, Woltz appears to assert that the state court case involved a "notice to vacate" dated December 9, 2023, which he asserts became void after a verbal agreement was

Court adopts the sequential pagination assigned to the Petition by the CM/ECF docketing system.

reached between himself and Larry Good allowing Woltz “to catch up on the outstanding rent balance by the end of February 2024.” (*Id.* at 21.) While he asserts he made payments to Susan Good, she “proceeded with the original eviction claim” and “retained the funds without returning them and acted deceptively to benefit from a judgment in her favor.” (*Id.*) He states that the extraordinary relief he seeks is the issuance of a stay of the state court proceeding (*id.* at 22) and to grant the removal of the case to this Court to “ensure the protection of [his] equitable rights.” (*Id.* at 23.) He also alleges in conclusory fashion that the state court has violated his due process and equal protection rights. (*Id.* at 22.)

A review of the public docket for No. 2024-2434 indicates that Susan Good filed the state court landlord/tenant case against Woltz on May 2, 2024, asserting that he failed to pay rent for the prior seven months and seeking his eviction from the premises.² (Compl. at 4.) The case is listed for trial on September 9, 2024.

II. STANDARD OF REVIEW

The Court grants Woltz leave to proceed *in forma pauperis*. When allowing a plaintiff to proceed *in forma pauperis* the Court must review the pleadings and dismiss the matter if, *inter alia*, the action fails to set forth a proper basis for this Court’s subject matter jurisdiction. Fed. R. Civ. P. 12(h)(3) (“If the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”); *Group Against Smog and Pollution, Inc. v. Shenango, Inc.*, 810 F.3d 116, 122 n.6 (3d Cir. 2016) (explaining that “an objection to subject matter jurisdiction may be raised at any time [and] a court may raise jurisdictional issues *sua sponte*”). A plaintiff commencing an action in federal court bears the burden of establishing federal jurisdiction. *See*

² The Court may consider matters of public record. *Buck v. Hampton Twp. Sch. Dist.*, 452 F.3d 256, 260 (3d Cir. 2006).

Lincoln Ben. Life Co. v. AEI Life, LLC, 800 F.3d 99, 105 (3d Cir. 2015) (“The burden of establishing federal jurisdiction rests with the party asserting its existence.” (citing *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 342 n.3 (2006))).

III. DISCUSSION

A. The Mandamus Petitions

The petitions for mandamus relief asking this Court to direct the state court to act on Woltz’s cases must be dismissed for lack of subject matter jurisdiction. There are two sources of jurisdiction for a federal district court to grant relief in the nature of mandamus. Under 28 U.S.C. § 1361, a federal district court “shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.” Also, 28 U.S.C. § 1651 confers jurisdiction on this Court to issue a writ of mandamus “in aid of” our jurisdiction.

Section 1651 is not applicable since Woltz’s request for mandamus relief is not one in aid of this Court’s jurisdiction. Section 1361, limited to compelling an executive officer or employee of the United States to perform a duty, does not confer jurisdiction on this Court to issue a writ of mandamus to compel a state judicial officer to act in matters pending in a state court. See *Bainbridge v. Pennsylvania Dep’t of Corr.*, No. 23-4835, 2024 WL 1163530, at *3 (E.D. Pa. Mar. 18, 2024) (citing *Sanchez v. Gonzalez*, No. 05-2552, 2005 WL 2007008, at *3 (D.N.J. Aug. 16, 2005); *Urich v. Diefenderfer*, No. 91-47, 1991 WL 17820, at *1 (E.D. Pa. Feb. 11, 1991)). Thus, this Court does not have jurisdiction under either provision to order a state court to decide Woltz’s pending cases.

B. The Removal Action

Pursuant to 28 U.S.C. § 1441(a), a defendant “may remove to the appropriate federal district court ‘any civil action brought in a State court of which the district courts of the United States have original jurisdiction.’” *City of Chicago v. Int’l Coll. of Surgeons*, 522 U.S. 156, 163 (1997) (quoting 28 U.S.C. § 1441(a)). “In order for a case to be removable under § 1441 and § 1331, the well-pleaded complaint rule requires the federal question be presented on the face of the plaintiff’s properly pleaded complaint.” *Krashna v. Oliver Realty, Inc.*, 895 F.2d 111, 113 (3d Cir. 1990) (quotations omitted). Accordingly, the existence of federal defenses to a complaint generally does not support removal under § 1441 and § 1331. *See Aetna Health, Inc. v. Davila*, 542 U.S. 200, 207 (2004).

Pursuant to § 1447(c), “[i]f at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.” “The party asserting jurisdiction [to remove a case] bears the burden of showing the action is properly before the federal court.” *Sikirica v. Nationwide Ins. Co.*, 416 F.3d 214, 219 (3d Cir. 2005). “The statute governing removal, 28 U.S.C. § 1441, must be strictly construed against removal.” *Id.* Further, the Court “has a continuing obligation to *sua sponte* raise the issue of subject matter jurisdiction if it is in question.” *Bracken v. Matgouranis*, 296 F.3d 160, 162 (3d Cir. 2002).

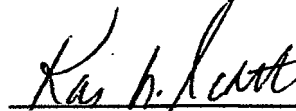
Based on a thorough review of the state court docket and the documents Woltz submitted, this Court lacks jurisdiction over the state court landlord/tenant proceeding. While Woltz asserts that the state courts have violated his constitutional rights in the conducting the proceeding, this asserts at best a federal defense to the landlord/tenant proceeding and there is no basis to conclude that a federal question is presented on the face of the state court plaintiff’s complaint. As Woltz has also failed to allege the state citizenship of the parties, and thus meet his burden to

demonstrate that the parties to the state court action are of diverse citizenship, the case will be remanded to the Bucks County Court of Common Pleas.

IV. CONCLUSION

For the reasons stated, the mandamus petitions are dismissed without prejudice for lack of subject matter jurisdiction and the state court action will be remanded for lack of subject matter jurisdiction. No leave to amend the mandamus petitions will be granted since any such attempt would prove futile. *Grayson v. Mayview State Hosp.*, 293 F.3d 103, 108, 110 (3d Cir. 2002). An appropriate Order follows.

BY THE COURT:



KAI N. SCOTT, J.

Appendix B-2

Docket No. 2:24-cv-04532-KNS (U.S. District Court, E.D. Pa.)

Related to Bucks County Docket No. 2024-02434

September 4, 2024

Title: Order Granting IFP, Dismissing Mandamus Petition, and Remanding State Case

Description:

On September 4, 2024, *the U.S. District Court for the Eastern District of Pennsylvania, per the Honorable Kai N. Scott*, issued an order in case *2:24-cv-04532-KNS*, consolidating it with *2:24-cv-04529-KNS*. The court granted pro se petitioner Brian Troy Woltz's motion to proceed in forma pauperis under *28 U.S.C. § 1915* and deemed the petitions for writ of mandamus filed.

However, the court dismissed the petitions without prejudice for lack of subject matter jurisdiction and remanded the related state court matter (*Good v. Woltz, No. 2024-02434 to the Bucks County Court of Common Pleas* pursuant to *28 U.S.C. § 1447(c)*). The Clerk of Court was directed to close both cases.

Narrative of Irregularities:

This order, nearly identical to the one issued in *2:24-cv-04529-KNS*, reflects a coordinated federal shutdown of the petitioner's attempt to invoke equitable and constitutional protections. Despite granting *IFP* status and acknowledging the filings, the court summarily dismissed the petitions without a hearing, without discovery, and without addressing the verified allegations of judicial misconduct, constructive trust violations, and procedural obstruction.

The court's remand of the state court case was based on a rigid application of jurisdictional rules, ignoring the broader context of systemic due process violations and equitable claims. The court declined to engage with the petitioner's trust-based filings or the documented failures of the state court to adjudicate motions, enforce service, or protect supersedeas rights.

By dismissing the petitions and remanding the matter without addressing the substance of the claims, the court effectively insulated the state court's conduct from federal review. This ruling reinforced a procedural firewall that denied the petitioner access to meaningful judicial oversight, while preserving the appearance of procedural regularity.

Document Status:

Copy preserved by the moving party and included in this Appendix. ***Official PACER*** access is restricted due to *IFP* limitations, requiring reliance on preserved docket materials.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRIAN TROY WOLTZ,
Plaintiff,

v.

SUSAN GOOD, *et al.*,
Defendants.

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CIVIL ACTION NO. 24-CV-4529

BRIAN TROY WOLTZ,
Plaintiff,

v.

SUSAN GOOD, *et al.*,
Defendants.

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CIVIL ACTION NO. 24-CV-4532


ORDER

AND NOW, this *4th* day of September, 2024, upon consideration of Plaintiff Brian Troy Woltz's Motion to Proceed *In Forma Pauperis* (Civ. No. 24-4529, ECF No. 1; Civ. No. 24-4532, ECF No. 2), *pro se* Petitions for Writ of Mandamus (Civ. No. 24-4529, ECF No. 2; Civ. No. 24-4532, ECF No. 1), and Letter (Civ. No. 24-4529, ECF No. 4), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Petitions are **DEEMED** filed.
3. The Petitions are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction for the reasons in the Court's Memorandum.
4. To the extent the Letter seeks to remove to this Court *Good v. Woltz*, No. 2024-02434 (C.P. Bucks), the case is **REMANDED** to the Court of Common Pleas of Bucks County pursuant to 28 U.S.C. § 1447(c).

5. The Clerk of Court is **DIRECTED** to **CLOSE** these cases.

BY THE COURT:



KAI N. SCOTT, J.

Appendix B-3

Docket No. 2:24-cv-06296-KNS (U.S. District Court, E.D. Pa.)

Related to Bucks County Docket No. 2024-02434

December 13, 2024

Title: Order Granting IFP, Partially Dismissing Complaint, and Closing Case

Description:

On December 13, 2024, *the U.S. District Court for the Eastern District of Pennsylvania, per the Honorable Kai N. Scott*, issued an order in case **2:24-cv-06296-KNS**. The court granted pro se plaintiff **Brian Troy Woltz's** motion to proceed in forma pauperis and deemed the complaint filed. The Clerk was directed to add **ADA Tim McCartney** and unnamed judicial officers and court agents from the Bucks County Court of Common Pleas as defendants.

The court then dismissed the complaint in part with prejudice and in part without prejudice. Specifically:

- The request for a writ of quo warranto was dismissed ***without prejudice*** for lack of standing.
- All other federal claims were dismissed ***with prejudice***, except for **§ 1983** claims for money damages.
- The **§ 1983** claims and all state law claims were dismissed ***without prejudice*** for lack of subject matter jurisdiction. The court denied the pending motion for clarification of service as moot and directed the Clerk to close the case.

Narrative of Irregularities:

This order reflects a continued pattern of federal evasion and procedural foreclosure. Despite acknowledging the presence of constitutional claims and naming judicial officers and court agents as defendants, the court dismissed nearly all claims without a hearing or factual development.

The court's dismissal of the **§ 1983** claims for lack of jurisdiction—after granting **IFP** and deeming the complaint filed—demonstrates a procedural contradiction. The court simultaneously recognized the claims as facially valid enough to survive initial screening, yet denied jurisdiction to adjudicate them.

The dismissal of the quo warranto petition for lack of standing, without addressing the underlying allegations of judicial usurpation and constructive trust violations, further insulated the state court's conduct from scrutiny.

By closing the case without addressing the merits of verified affidavits, trust declarations, and procedural misconduct, the court reinforced a systemic barrier to federal review. This

ruling, like others in the petitioner's litigation history, reflects a judicial firewall against equitable redress and constitutional accountability.

Document Status:

Copy preserved by the moving party and included in this Appendix. ***Official PACER*** access is restricted due to ***IFP*** limitations, requiring reliance on preserved docket materials.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN TROY WOLTZ,
Plaintiff,

v.

SUSAN GOOD, et al.,
Defendants.

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CIVIL ACTION NO. 24-CV-6296

ORDER

AND NOW, this 13th day of December, 2024, upon consideration of Plaintiff Brian Troy Woltz's Motion to Proceed *In Forma Pauperis* (ECF No. 1), *pro se* Complaint (ECF No. 2), Supplemental Affidavit (ECF No. 4), and Motion for Clarification of Service (ECF No. 7), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Clerk of Court is **DIRECTED** to add as Defendants ADA Tim McCartney and "Judicial officers, court administrators, and other agents of the Court of Common Pleas of Bucks County."

4. The Complaint is **DISMISSED IN PART WITH PREJUDICE AND IN PART WITHOUT PREJUDICE** for the reasons in the Court's Memorandum as follows:

- a. The request for a writ *quo warranto* is **DISMISSED WITHOUT PREJUDICE** for lack of standing.
- b. All other federal law claims are **DISMISSED WITH PREJUDICE** with the exception of Woltz's § 1983 claims for money damages.

- c. Woltz's § 1983 claims for money damages and all state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.
5. The Motion for Clarification of Service is **DENIED** as moot.
6. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Kai N. Scott
KAI N. SCOTT, J.

Appendix B-4

Docket No. 2:24-cv-06702-KNS (U.S. District Court, E.D. Pa.)

Related to Bucks County Docket Nos. 2024-02434, 2024-04334, and 2024-06720

December 19, 2024

Title: Final Order Dismissing Amended Complaint With Prejudice, Denying Emergency Motions, and Threatening Pre-Filing Injunction

Description:

On December 19, 2024, *the U.S. District Court for the Eastern District of Pennsylvania, per the Honorable Kai N. Scott*, issued a final order in case **2:24-cv-06702-KNS**. The court granted pro se plaintiff **Brian Troy Woltz's** motion to proceed in forma pauperis and deemed the amended comprehensive complaint filed.

The court then dismissed the complaint *with prejudice*, denied all pending emergency motions—including motions for immediate intervention, protective federal jurisdiction, and a temporary restraining order—and remanded three related **Bucks County cases (2024-02434, 2024-04334, and 2024-06720)** back to *the Court of Common Pleas under 28 U.S.C. § 1447(c)*.

The court further ordered Woltz to show cause within fifteen days why a *pre-filing injunction* should not be imposed to bar him from initiating future federal actions related to his state landlord-tenant proceedings.

Narrative of Irregularities:

This order represents the culmination of a pattern of federal procedural foreclosure. Despite the petitioner's efforts to revise and resubmit his claims—removing previously challenged elements and reasserting jurisdiction through amended pleadings—the court dismissed the case with finality and without adjudicating the merits of the constitutional, equitable, and trust-based claims.

The court's denial of all emergency motions, including those seeking to stay state enforcement actions and protect trust res, occurred without a hearing or factual inquiry. The remand of three state cases—despite their procedural entanglement with federal questions and verified allegations of judicial misconduct—further insulated the state judiciary from scrutiny.

Most notably, the court's threat of a pre-filing injunction, issued in response to the petitioner's lawful attempts to seek redress, reflects a chilling use of judicial discretion. Rather than address the substance of the filings, the court moved to silence future access to the federal forum altogether.

This ruling underscores a systemic breakdown in judicial accountability, where

procedural tools are used not to resolve disputes, but to suppress them—leaving the petitioner without remedy, without forum, and without recourse.

Document Status:

Copy preserved by the moving party and included in this Appendix. ***Official PACER*** access is restricted due to ***IFP*** limitations, requiring reliance on preserved docket materials.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN TROY WOLTZ,
Plaintiff,

v.

SUSAN GOOD, et al.,
Defendants.

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CIVIL ACTION NO. 24-CV-6702

ORDER

AND NOW, this 19th day of December, 2024, upon consideration of Plaintiff Brian Troy Woltz's Motion to Proceed *In Forma Pauperis* (ECF No. 1), *pro se* Amended Comprehensive Complaint (ECF No. 2), "Urgent Motion for Immediate Intervention" (ECF No. 3), three pleadings labeled "Supplemental Motion for Immediate Removal, Protective Federal Jurisdiction, and Emergency Relief" (ECF Nos. 5, 6, 7), and an "Emergency Motion for Temporary Restraining Order and Stay of Execution" (ECF No. 8), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED WITH PREJUDICE** for the reasons in the Court's Memorandum.
4. Woltz's "Urgent Motion for Immediate Intervention" (ECF No. 3), three pleadings labeled "Supplemental Motion for Immediate Removal, Protective Federal Jurisdiction, and Emergency Relief" (ECF Nos. 5, 6, 7), and an "Emergency Motion for Temporary Restraining Order and Stay of Execution" (ECF No. 8) are **DENIED**.

5. *Good v. Woltz*, No. 2024-02434 (C.P. Bucks), *Woltz v. Good*, No. 2024-04334 (C.P. Bucks), and Bucks County case number 2024-06720 are **REMANDED** to the Court of Common Pleas of Bucks County pursuant to 28 U.S.C. § 1447(c).

6. Within fifteen (15) days of the date of this Order, Brian Troy Woltz shall file a “Response to Order to Show Cause” not to exceed ten (10) pages stating why this Court should not, for the reasons articulated in the Court’s Memorandum, enter a pre-filing injunction directing the Clerk of Court to refuse to accept future new cases he seeks to file in this Court that seek to have this Court intervene in his state court landlord-tenant case or seek to remove a case over which this Court may not exercise jurisdiction, regardless of the relief sought.

7. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Kai N. Scott
KAI N. SCOTT, J.

**Additional material
from this filing is
available in the
Clerk's Office.**