

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1913

PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY,

Plaintiff - Appellee,

v.

KEVIN M. CLARKE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (1:06-cv-00792-JCC-IDD)

Submitted: December 18, 2014

Decided: December 22, 2014

Before SHEDD, WYNN, and THACKER, Circuit Judges.

Affirmed in part and dismissed in part by unpublished per curiam opinion.

Kevin M. Clarke, Appellant Pro Se. David Edward Constine, III, Stephen Charles Piepgrass, Edward Hutton Starr, Jr., TROUTMAN SANDERS, LLP, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin M. Clarke appeals three of the district court's post-judgment orders. With respect to the district court's order of March 4, 2008, we dismiss the appeal as duplicative because we affirmed this order in Clarke's prior appeal. Provident Life & Acc. Ins. Co. v. Clarke, 284 F. App'x 54, 55 (4th Cir. 2008). With respect to the district court's orders of July 1, 2014, and August 6, 2014, we have reviewed the record and find no reversible error. Accordingly, we affirm these orders for the reasons stated by the district court. Provident Life and Accident Ins. Co. v. Clarke, 1:06-cv-00792-JCC-IDD (E.D. Va. Aug. 6, 2014).

Additionally, we have considered Appellee's request for a prefiling injunction against Clarke. We decline to impose such an injunction at this juncture. See Cromer v. Kraft Foods N. Am., Inc., 390 F.3d 812, 817-18 (4th Cir. 2004) (discussing prefiling injunction and relevant factors). However, Clarke is hereby warned that federal courts, including this court, are authorized to impose sanctions upon vexatious and repetitive litigants for frivolous filings. See Foley v. Fix, 106 F.3d 556, 558 (4th Cir. 1997). Further frivolous filings by Clarke may result in this court sanctioning him, including by ordering a prefiling injunction that limits his access to the court.

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 IN PART;
DISMISSED IN PART