

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:17-CV-54-D


ADAM L. PERRY,)
)
 Plaintiff,)
)
 v.)
)
 WILLIAM EARL BRITT,)
)
 Defendant.)

ORDER

On November 16, 2017, the United States removed a contempt motion Perry filed in Perquimans County Superior Court to this court [D.E. 1]. On December 20, 2017, the United States moved to dismiss the action pursuant to Federal Rule of Civil Procedure 12(b)(1), (5), and (6) [D.E. 14]. On May 11, 2018, the court denied Perry's motion for contempt and denied the remaining motions as moot [D.E. 19], and the clerk entered judgment [D.E. 20]. On June 15, 2018, Perry filed motions for a restraining order and relief from the judgment [D.E. 23]. On July 2, 2018, the United States filed a response in opposition to the motions [D.E. 24]. On July 9, 2018, Perry filed a notice of appeal [D.E. 25]. On October 25, 2018, the United States Court of Appeals for the Fourth Circuit affirmed [D.E. 28].

The court has considered Perry's motions under the governing standards. See Fed. R. Civ. P. 60(b), 65; Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 20 (2008); Aikens v. Ingram, 652 F.3d 496, 500–01 (4th Cir. 2011) (en banc); Real Truth About Obama, Inc. v. FEC, 575 F.3d 342, 346 (4th Cir. 2009), vacated on other grounds, 559 U.S. 1089 (2010), reissued in relevant part, 607 F.3d 355 (4th Cir. 2010) (per curiam); U.S. Dep't of Labor v. Wolf Run Mining Co., 452 F.3d 275, 281 n.1 (4th Cir. 2006). The motions lack merit and are DENIED.

SO ORDERED. This 17 day of October 2018.



JAMES C. DEVER III
United States District Judge