

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:24-cv-00034-MR-WCM

ANDREW D. ANDERSON,)
)
Plaintiff,)
)
vs.)
)
THE STATE OF NORTH CAROLINA,)
et al.,)
)
Defendants.)
_____)

ORDER

THIS MATTER is before the Court *sua sponte*.

On February 2, 2024, the *pro se* Plaintiff Andrew D. Anderson filed this action against a number of Defendants, including the State of North Carolina, the Governor of North Carolina, various judicial officials, prosecutors, law enforcement officials, attorneys, and other individuals, asserting numerous federal and state law claims. [Doc. 1]. The Plaintiff filed an Amended Complaint on February 29, 2024. [Doc. 4].

In an Order entered March 18, 2024, the Court determined that the Plaintiff's Amended Complaint failed initial review and therefore dismissed it without prejudice. [Doc. 5]. The Plaintiff was allowed thirty (30) days to file a Second Amended Complaint to properly state a claim upon which relief can

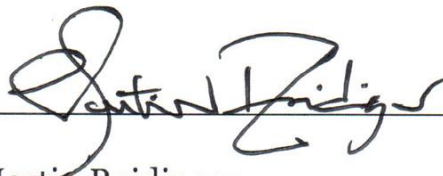
be granted. [Id.]. The Plaintiff was warned that if he failed to timely amend his Complaint in accordance with this Order, the Court would dismiss and terminate this action. [Id.]. Instead of filing a Second Amended Complaint, however, the Plaintiff appealed the Court's Order to the United States Court of Appeals for the Fourth Circuit on March 18, 2024. [Doc. 5]. On August 29, 2024, the Court of Appeals affirmed this Court's decision. [Doc. 9]. The Plaintiff's motion for rehearing and rehearing *en banc* was denied on September 24, 2024. [Doc. 11]. The Court of Appeals' mandate issued on October 2, 2024. [Doc. 12].

With the appeal having been resolved, the Court will grant the Plaintiff another opportunity to file a Second Amended Complaint, if he so chooses. Any amended complaint will be subject to all timeliness and procedural requirements and will supersede his prior Complaint. Piecemeal amendment will not be permitted. The Plaintiff is further cautioned against combining multiple causes of action against multiple defendants in one Complaint and should instead separate his unrelated causes of actions where appropriate. Should the Plaintiff fail to timely amend a Second Amended Complaint in accordance with this Order, the Court will dismiss and terminate this action.

IT IS, THEREFORE, ORDERED that the Plaintiff shall have thirty (30) days in which to file a Second Amended Complaint in accordance with the terms of this Order. **If the Plaintiff fails to so amend his Complaint, the matter will be dismissed.**

IT IS SO ORDERED.

Signed: October 22, 2024

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger
Chief United States District Judge

