

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:24-cv-00265-MR
1:24-cv-00285-MR

CHARLIE EDWARD RIDDLE,)
)
 Plaintiff,)
)
 vs.)
)
 MCDOWELL COUNTY SHERIFF)
 DEPARTMENT, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on review of the dockets in these matters.

On or about October 21, 2024, pro se Plaintiff Charlie Edward Riddle (“Plaintiff”) filed a Complaint postmarked from the McDowell County Jail in Marion, North Carolina. [Civil Case No. 1:24-cv-00265-MR (“CV-265”), Docs. 1, 1-3]. Plaintiff, however, failed to sign his Complaint, and, on October 24, 2024, the Clerk entered a Text-Only Order requiring Plaintiff to submit an executed signature page within 21 days.¹ [CV-265, 10/24/2024

¹ The Clerk mailed Plaintiff a copy of the unexecuted signature page from his Complaint for him to sign and return. [See 10/24/2024 Text Order & 10/24/2024 (Court Only) Docket Entry].

Text Order]. The same day, the Court mailed Plaintiff the Court's Standing Order of Instructions in this matter, which advised Plaintiff that it was his responsibility to keep the Court advised of his current address at all times. [CV-265, Standing Order, ¶ 3]. The Court advised Plaintiff that it "does not know if the Plaintiff is transferred, released, or placed on probation, etc., unless a Notice of Change of Address is filed." [Id., id., id.]. The Court also warned Plaintiff that if his address changes and "no Notice is promptly filed with the Clerk of Court, the case may be dismissed for lack of prosecution." [Id., id., id.]. The deadline for Plaintiff to have filed an executed signature page for his Complaint in Case No. 1:24-cv-265 has passed and Plaintiff has not complied.

Meanwhile, on or about November 12, 2024, Plaintiff mailed a letter directed to "Courts, S.B./F.B.I" from the Burke County Jail in Morganton, North Carolina, in which the Plaintiff states *inter alia* that he is "filing A Complaint." [Civil Case No. 1:24-cv-00285-MR ("CV-285"), Doc. 1]. This letter was deemed a Complaint, and a new case was opened. [See id.]. The Complaint in Case No. -265 and the letter/Complaint in Case No. -285 both regard Plaintiff's alleged involvement in some sort of drug ring by and between various officials in the McDowell and Yancey County Sheriffs Departments. Plaintiff also alleges that "A lowcation [*sic*] chip" was placed

in him in 2021 and that he has been cyber stalked by around 84 known drug dealers and informants. [CV-265, Doc. 1 at 4-5; CV-285, Doc. 1 at 1]. Because the letter/Complaint appears to implicate the same matters at issue in Plaintiff's Complaint in Case No. -265 and is therefore duplicative thereof, the Court will order that Case No. -285 be dismissed and direct the Clerk to file the letter in Case No. -265.

Because the Plaintiff has failed to timely file an executed signature page to his Complaint in Case No. -265 and because it appears that Plaintiff has been transferred and failed to notify the Court of his new address, the Court will dismiss Case No. -265 without prejudice.²

ORDER

IT IS, THEREFORE, ORDERED that Civil Case No. 1:24-cv-00265-MR is **DISMISSED** without prejudice.

IT IS FURTHER ORDERED that Civil Case No. 1:24-cv-00285-MR is **DISMISSED** as duplicative of Civil Case No. 1:24-cv-00265-MR and the Order to Cure Deficiency [Doc. 2] is **VACATED**.

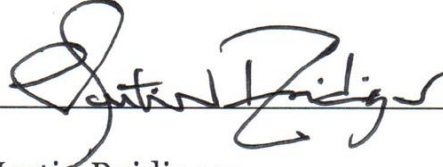
The Clerk is instructed to file Docket No. 1 in Civil Case No. 1:24-cv-00285-MR as a letter in Civil Case No. 1:24-cv-00265-MR and terminate both

² In his Complaint in Case No. -265, Plaintiff also states that he "need[s] ... a lawyer." [Doc. 1 at 14]. To the extent this can be construed a motion for appointment of counsel, it is denied as moot.

these actions.

IT IS SO ORDERED.

Signed: November 25, 2024

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

Martin Reidinger
Chief United States District Judge

