

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BLUEFIELD

LATHRONEA P. GRESHAM,

Plaintiff,

v.

CIVIL ACTION NOS. 1:92-01003  
1:92-01004

TRANSPORTATION COMMUNICATIONS  
INTERNATIONAL UNION, et al.,

Defendants,

and

JOHN M. GRESHAM, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 1:18-01426

NSC PLAN ADMINISTRATOR/TRUSTEES  
BOARD MGRS. - RETIREMENT PLANS  
NORFOLK SOUTHERN CORPORATION, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

By Order entered on April 12, 2016, plaintiff Lathronea P. Gresham was "**PROHIBITED** from filing any further motions or papers in cases 1:92-01003 and 1:92-1004 unless such motions or papers are certified as non-frivolous by an attorney." The Clerk was further directed "not to accept any further motions or papers filed by plaintiff in these actions unless they are so certified." Finally, plaintiff was advised as follows: "**THIS ORDER DOES NOT APPLY TO ANY NOTICE OF APPEAL TO THE UNITED STATES**

**COURT OF APPEALS FOR THE FOURTH CIRCUIT SHOULD PLAINTIFF WISH TO OBTAIN REVIEW OF THIS ORDER."**

On or about November 15, 2018, the Clerk's Office received a packet of documents from plaintiff. In those papers, Lathronea and John Gresham appear to complain about their retirement benefits. Although the papers were not certified as non-frivolous by an attorney, they appeared to indicate an intent to open a new civil action. Furthermore, the documents did not bear the case numbers of plaintiff's long-closed civil actions. Out of an abundance of caution, those papers were used to initiate a new civil action on behalf of John and Lathronea Gresham, Civil Action No. 1:18-cv-01426. Pursuant to standing order, this 2018 case was referred to Magistrate Judge Omar J. Aboulhosn for findings of fact and recommendations for disposition.

On November 20, 2018, plaintiff sent further documents to the Clerk. These papers are largely incomprehensible and bear the 1992 case numbers. Those papers also indicate that the court erroneously opened the new civil action.

Based upon the foregoing, the referral to Magistrate Judge Aboulhosn is **VACATED** and Civil Action No. 1:18-cv-01426 is **DISMISSED**. The Clerk is directed to close that civil action. Ms. Gresham is further reminded that she is **PROHIBITED** from filing any further motions or papers in cases 1:92-01003 and 1:92-1004 unless such motions or papers are certified as non-

frivolous by an attorney. The Clerk is further directed "not to accept any further motions or papers filed by plaintiff in these actions unless they are so certified." Finally, with the exception noted above, any documents received from Ms. Gresham should henceforth be returned to her unless they clearly indicate an intent to file a new civil action.

The Clerk is directed to send copies of this Memorandum Opinion and Order to counsel of record and to plaintiff(s), *pro se*.

**IT IS SO ORDERED** this 27th day of February, 2019.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge