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Anthony Stocker Mina v. Chester County Court of Common

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 14-4620

ANTHONY STOCKER MINA;
TLC DREAMS FOUNDATION;
TRUTH TODAY FOR A BETTER TOMMOROW POLITICAL COMMITTEE;

v.

CHESTER COUNTY COURT OF COMMON PLEAS;
PRESIDENT JUDGE JAMES P. MACELREE, II;
JUDGE ANTHONY SARCIONE; JUDGE THOMAS G. GAVIN;
JUDGE JACQUELINE CARROLL CODY;
JUDGE KATHERINE B.L. PLATT; JUDGE MARK L. TUNNELL;
JUDGE JOHN L. BRAXTON;
CHESTER COUNTY DOMESTIC RELATIONS SECTION (CCDRS)
CCDRS DIRECTOR JOSEPH M. WATERS;
WILLIAM R. WHITEHEAD, CCDRS Deputy Director;
ROBIN KELLY, CCDRS Director; CATHY SMITH, CCDRS Administrative Secretary;
SHAUNA JOHNSON, CCDRS Enforcement Officer;
MARY JONES, CCDRS Staff Attorney;
ROBERT T. LOMBARDI, CCDRS Hearing Officer;
ROSE ANDERSON, CCDRS Hearing Officer;
JANET SNYDER, Family Court Secretary;
ROBERT E. KYLE, Director Of Juvenile Probation;
WILLIAM HANDY, Chester County Court Reporter Chief;
THOMAS P. HOGAN, Chester County District Attorney (CCDA);
CCDA PETER HOBART; CCDA JOSEPH CARROLL, Former DA;
CCDA CRISTIN KUBACKE; WEST CHESTER POLICE, WCPD;
WCPD SCOTT BOHN; WCPD Detective STAN BILLIE;
WCPD SGT. LOUIS DESCHULLO; WCPD OFFICER GREG CUGINO;
DANIELLE CUGINO, Chester County Probation Collection Officer;
KEITH LAURER, Chester County Probation Officer;
JOHN R. MERRICK, Chester County Public Defender;
NATHAN SHENKER, Chester County Public Defender;

PROTHONOTARY BRYAN WALTERS; DAILY LOCAL NEWS COURTHOUSE;
ATTORNEY GENERAL PENNSYLVANIA; ATTORNEY LEONARD J. RIVERA;
ATTORNEY DAWSON R. MUTH; ATTORNEY ERIC TRAJTENBERG;
DAILY LOCAL NEWSPAPER;
OPTIMA WEBE DESIGN ENET, Ron Shur, Nick Potopov;
FEDERAL COURT JUDGE LUIS FELIPE RESTREPO;
CHARLES MAINES, Chester County Probation Officer;
WELLS FARGO BANK

ANTHONY STOCKER MINA;
*HEAVEN SCENT LANDSCAPING;
TLC DREAMS FOUNDATION,
Appellants

(*Pursuant to Fed. R. App. P. 12(a))

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 2:13-cv-07622)
District Judge: Honorable Mitchell S. Goldberg

Submitted Pursuant to Third Circuit LAR 34.1(a)
June 22, 2016
Before: FUENTES, VANASKIE and SCIRICA, Circuit Judges

(Opinion filed: July 13, 2016)

OPINION*

PER CURIAM

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Anthony Stocker Mina appeals the District Court's order dismissing his pro se civil rights lawsuit and the District Court's subsequent order dismissing his motions for relief from judgment. We will affirm.

In 2014, Mina, a frequent pro se litigant, filed a second amended complaint accusing some 44 defendants of various constitutional violations arising out of criminal and civil matters that Mina has been involved with before the Chester County Court of Common Pleas during the last twenty years. The defendants included judges, prosecutors, police officers, probation officers, employees of the Chester County Domestic Relations Section, public defenders, private attorneys, the Chester County prothonotary, two newspapers, and a bank. The District Court dismissed the suit on various grounds, including Eleventh Amendment immunity, judicial immunity, the Rooker-Feldman¹ doctrine, prosecutorial immunity, statute of limitations bars, and Mina's failure to allege sufficient facts to make claims under the applicable laws he cites. Mina subsequently filed motions seeking relief from judgment, which the District Court denied. Mina appeals.²

¹ See Dist. of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983); Rooker v. Fidely Trust Co., 263 U.S. 413 (1923).

² Mina seeks to appeal on behalf of himself, Heaven Scent Landscaping, and the TLC Dreams Foundation. Heaven Scent Landscaping, which was not listed as a plaintiff in the second amended complaint's caption or introduction, is a non-party. Absent an exception not applicable here, a non-party does not have standing to appeal. See Hoots v. Pennsylvania, 495 F.2d 1095, 1096 n.3 (3d Cir. 1974). TLC Dreams Foundation is listed in the caption of the complaint. To the extent it is a party, Mina has not demonstrated that it is a party he can represent. Cf. Simbrow v. United States, 367 F.3d 373 (3d Cir.

We have jurisdiction pursuant to 28 U.S.C. § 1291. We exercise plenary review over the District Court's dismissal order. See Allah v. Seiverling, 229 F.3d 220, 223 (3d Cir. 2000). We generally review the District Court's order denying motions for relief from judgment for abuse of discretion, but to the extent that the order denied a motion brought pursuant to Federal Rule of Civil Procedure 60(b)(4), our review is plenary. Budget Blinds, Inc. v. White, 536 F.3d 244, 251 & n.5 (3d Cir. 2008).

The District Court did not err in dismissing Mina's second amended complaint or denying his motions for relief from judgment. The District Court concisely identified the grounds for dismissing Mina's amended complaint and denying his motions for relief from judgment, and we will affirm for substantially the same reasons. Mina's filings in this Court, which contain both additional unsupported allegations and the restatement of his earlier claims, do not provide any basis to challenge the District Court's rulings.³ We have also reviewed Mina's letters filed on January 18, 2016, February 8, 2016, March 7, 2016, and June 29, 2016, and they do not alter our analysis.

1966). Therefore, this appeal is dismissed as to Heaven Scent Landscaping and the TLC Dreams Foundation.

³ Among other arguments, Mina challenges the District Court's dismissal on the grounds that he should have been given leave to amend his complaint again. The District Court did not err in declining to give Mina another chance to amend. He was given two opportunities to amend, and, in any event, an additional amendment would have been futile under the circumstances. See Grayson v. Mayview State Hosp., 293 F.3d 103, 108 (3d Cir. 2002).

Accordingly, we will affirm the District's Court's orders as they relate to Mina. As we noted above, the appeal is dismissed as to Heaven Scent Landscaping and the TLC Dreams Foundation.