

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2535

September Term, 2015

AN THAI TU

v.

G. KNOTT, ET AL.

Krauser, C.J.,
Nazarian,
Moylan, Charles E., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: March 6, 2017

*This is an unreported opinion, and it may not be cited in any paper, brief, motion, or other document filed in this Court or any other Maryland Court as either precedent within the rule of stare decisis or as persuasive authority. Md. Rule 1-104.

In 2015, after receiving a traffic citation, An Thai Tu, appellant, filed a complaint, in the Circuit Court for Montgomery County, against appellees, G. Knott, Isiah Leggett (County Executive of Montgomery County), Montgomery County, Nancy Kopp (State Treasurer), and the State of Maryland.¹ Because Mr. Tu filed the complaint without first seeking the court’s permission to do so, as he was required to do pursuant to an order issued by the court two years earlier (the “pre-filing order”), appellees moved to dismiss the complaint, noting that Mr. Tu was a “vexatious litigant” and that he had filed the complaint “in direct violation” of the pre-filing order.² Citing the pre-filing order, the circuit court dismissed the complaint with prejudice. Mr. Tu appeals the dismissal. We affirm.

Mr. Tu’s brief in this Court is rambling and incoherent. As best we can discern, he asserts that the circuit court erred in dismissing his complaint “without an opportunity for a full adversary hearing.” Appellees point out that the validity of the pre-filing order is not before us, as Mr. Tu never appealed its issuance. They also note that Mr. Tu has not moved for a modification or dissolution of that order. Moreover, appellees assert that the circuit court properly dismissed the complaint because it is undisputed that Mr. Tu did not seek, much less obtain, the court’s permission before filing it.

¹ Mr. Tu’s complaint appears to stem from the traffic citation he had received. Largely incoherent, the complaint alleged claims including “false arrest / false imprisonment,” “unjust enrichment,” “conversion,” “constructive trust,” “breach of fiduciary duty,” “fraud,” “civil conspiracy,” and “racketeering.”

² The pre-filing order was issued on December 9, 2013, and directed Mr. Tu to “seek leave” or permission from the Circuit Court for Montgomery County before filing any pleadings in that court. As the appellees in the instant case put it, Mr. Tu has a “long history of filing frivolous, incoherent and unintelligible lawsuits.”

We hold that the circuit court did not err in dismissing Mr. Tu’s complaint based on his failure to comply with the pre-filing order, as a circuit court is authorized to issue such an order to “control the actions of a vexatious or frivolous litigant.” *Riffin v. Circuit Court for Baltimore County*, 190 Md. App. 11, 29 (2010)

**JUDGMENT OF THE CIRCUIT COURT FOR
MONTGOMERY COUNTY AFFIRMED.
COSTS TO BE PAID BY APPELLANT.**