

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 24-1847

RENEE A. CHRUSTOWSKI,
Appellant

v.

NAACP – DERRICK JOHNSON

On Appeal from the United States District Court
for the District of Delaware
(D. Del. Civil Action No. 1:23-cv-00804)
District Judge: Honorable Colm F. Connolly

Submitted Pursuant to Third Circuit LAR 34.1(a)
July 24, 2024

Before: KRAUSE, MATEY, and CHUNG, Circuit Judges

(Opinion filed: July 30, 2024)

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.

Appellant Renee Chrustowski, proceeding pro se and in forma pauperis, appeals from the District Court’s sua sponte dismissal of her civil rights action. For the following reasons, we will affirm.

Chrustowski is a frequent litigant who has filed numerous civil actions in multiple courts. In July 2023, she filed an action in the United States District Court for the District of Delaware alleging that her “privacy rights were violated by the NAACP and black supporters,” causing her “harm, damages, pain, suffering, harassment, reversed discriminated against.” D.Ct. ECF No. 1 at 4. She asserted, without further detail, that she was “a victim of identity theft and mail fraud,” and was entitled to “\$900,000,000 in punitive damages for the negligence, and harm that the defendant, NAACP has caused.” Id. at 4-5. On April 23, 2024, the District Court sua sponte dismissed the case, determining the complaint to be “duplicative of Chrustowski v. Johnson, No. 23-873 (D. Del.), which has already been dismissed.” D.Ct. ECF No. 8 at 1.

Chrustowski appeals. We have jurisdiction pursuant to 28 U.S.C. § 1291, and our review of the District Court’s sua sponte dismissal is plenary. See Dooley v. Wetzel, 957 F.3d 366, 373 (3d Cir. 2020). However, we have little to review because Chrustowski’s opening brief, to the extent it even mentions the District Court’s order dismissing her case as duplicative, provides no argument about how the District Court erred.¹

¹ Instead, Chrustowski’s brief on appeal seeks to challenge orders which are not properly the subject of this appeal, including orders issued by the District of New Jersey in separate actions, as well as the order dismissing her duplicative complaint in Chrustowski v. Johnson, 1:23-cv-00873 (D. Del., dismissal order dated Mar. 12, 2024). A review of the record in that case reveals that Chrustowski has not appealed the order of dismissal, and that order is not properly before this Court in this appeal.

Accordingly, she has forfeited review of the decision. See M.S. by & through Hall v. Susquehanna Twp. Sch. Dist., 969 F.3d 120, 124 n.2 (3d Cir. 2020) (holding that the appellant forfeited claims by failing to raise them in the opening brief).

Nonetheless, we have reviewed the decision of the District Court and discern no error. We agree that the District Court properly dismissed the complaint as duplicative of the action filed at 1:23-cv-00873 (D. Del.), which was dismissed with prejudice on March 12, 2024.

We will affirm the decision of the District Court.²

² Buried within Chrustowski's opening brief are multiple motions. Her motion to proceed on the original record, is granted. Her motions to file under seal, consolidate, and grant monetary relief in the amount of \$100,000,000, are denied.