

No. _____

IN THE
Supreme Court of the United States

LESTER MOODY,

Petitioner,

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES

Respondents.

ON WRIT OF CERTIORARI TO THE
MARYLAND COURT OF APPEALS

MOTION FOR OUT OF TIME

**LESTER MOODY
4412 Marble Hall Road
Apartment 328
Baltimore, Maryland 21218-0036
410-325-5815**

**MOTION DIRECTING THE CLERK OF THE U.S. SUPREME COURT TO
FILE THE PETITION FOR OUT OF TIME**

Petitioner must respectfully disagree with the Clerk in that my petition was not timely filed with the U.S. Supreme Court. The petition is not out-of-time. The date of the ORDER of the United States Court of Appeals for the Fourth Circuit was January 2, 2019. (Please see the Appendix for the ORDER FILED January 2, 2019 signed by Patricia S. Conner, Clerk of the lower Court). Previously, the Court had denied the Motion for Reconsideration, despite the argument that the Baltimore City Post Office and the Richmond Post Office made an ERROR in transporting the mail to the U.S. Court of Appeals for the Fourth Circuit.(See Case# 18-1768/1:18-cv-00488-ELH). Again, I filed a Rehearing En brac for the Court to hear my appeal based on the facts that the Post Offices of Baltimore and Richmond failed to transport my Rehearing En brac rehearing appeal, accordingly. The ORDER denying the Motion was filed on January 2, 2019. Thus, Petitioner still had ninety (90) days to file a petition with the U.S. Supreme Court.

APPENDIX

FILED: January 2, 2019

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1768
(1:18-cv-00488-ELH)

LESTER MOODY

Plaintiff - Appellant

v.

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES STATE OF
MARYLAND

Defendant - Appellee

O R D E R

Upon consideration of submissions relative to the motion for reconsideration,
the court denies the motion.

Entered at the direction of the panel: Chief Judge Gregory, Judge Keenan,
and Senior Judge Hamilton.

For the Court

/s/ Patricia S. Connor, Clerk

FILED: November 8, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-1768
(1:18-cv-00488-ELH)

LESTER MOODY

Plaintiff - Appellant

v.

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES STATE OF
MARYLAND

Defendant - Appellee

O R D E R

The court strictly enforces the time limits for filing petitions for rehearing and petitions for rehearing en banc in accordance with Local Rule 40(c). The petition in this case is denied as untimely.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-1768

LESTER MOODY,

Plaintiff - Appellant,

v.

BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES STATE OF
MARYLAND,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
Ellen L. Hollander, District Judge. (1:18-cv-00488-ELH)

Submitted: October 18, 2018

Decided: October 22, 2018

Before GREGORY, Chief Judge, KEENAN, Circuit Judge, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Lester Moody, Appellant Pro Se. Elise Song Kurlander, OFFICE OF THE ATTORNEY
GENERAL OF MARYLAND, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lester Moody appeals the district court's order granting the Baltimore City Department of Social Services' motion to dismiss Moody's civil complaint, which asserted claims pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. §§ 2000e to 2000e-17 (West 2012 & Supp. 2018); Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 to 1688 (2012); and the Maryland Fair Employment Practices Act, Md. Code Ann., State Gov't § 20-606(a)(1)(i) (West 2014). We have reviewed the record and considered the parties' arguments. Finding no reversible error, we affirm the district court's order. *See Moody v. Baltimore City Dep't of Soc. Servs.*, No. 1:18-cv-00488-ELH (D. Md. June 25, 2018). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

**Additional material
from this filing is
available in the
Clerk's Office.**