

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DERRICK M. ALLEN,)	
)	
Plaintiff,)	
)	
v.)	
)	1:20CV256
RENTGROW, INC., ANANT YARDI,)	
GORDON MORRELL, AND CORPORATION)	
SERVICE COMPANY,)	
)	
Defendants.)	

ORDER

The Text Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on August 12, 2020, was served on the parties in this action. No objections were filed within the time limits prescribed by section 636.

The court has reviewed and hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that the claims against Corporation Service Company are DISMISSED without prejudice, due to the lack of any allegations against it in the Amended Complaint (Doc. 8) (or in the Complaint and its attachments (Doc. 1)).

/s/ Thomas D. Schroeder
United States District Judge

September 10, 2020

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1837 (L)
(1:20-cv-00256-TDS-LPA)

DERRICK MICHAEL ALLEN, SR.

Plaintiff - Appellant

v.

RENTGROW, INC.; ANANT YARDI; GORDON MORRELL; CORPORATION
SERVICE COMPANY

Defendants - Appellees

No. 20-2014
(1:20-cv-00256-TDS-LPA)

DERRICK MICHAEL ALLEN, SR.

Plaintiff - Appellant

v.

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STAY OF MANDATE UNDER
FED. R. APP. P. 41(d)(1)

Under Fed. R. App. P. 41(d)(1), the timely filing of a petition for rehearing or rehearing en banc or the timely filing of a motion to stay the mandate stays the mandate until the court has ruled on the petition for rehearing or rehearing en banc or motion to stay. In accordance with Rule 41(d)(1), the mandate is stayed pending further order of this court.

/s/Patricia S. Connor, Clerk

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J U D G M E N T

In accordance with the decision of this court, the appeals are dismissed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App.

P. 41.

/s/ PATRICIA S. CONNOR, CLERK

UNPUBLISHED

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

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Defendants - Appellees.

No. 20-2014

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SERVICE COMPANY,

Defendants - Appellees.

Appeals from the United States District Court for the Middle District of North Carolina, at
Greensboro. Thomas D. Schroeder, Chief District Judge. (1:20-cv-00256-TDS-LPA)

Submitted: November 23, 2020

Decided: December 7, 2020

Before KING and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Derrick Michael Allen, Sr., Appellant Pro Se. Richard Wyatt Andrews II, Jeffrey Scott Southerland, TUGGLE DUGGINS, PA, Greensboro, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derrick Michael Allen, Sr., seeks to appeal the district court's orders dismissing three of the four defendants in this civil action. This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The orders Allen seeks to appeal are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we deny Allen's motions for a transcript at government expense and dismiss the appeals for lack of jurisdiction. 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.

DISMISSED

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O R D E R

The court defers consideration of the motion for transcript at government expense pending review of the appeal on the merits after completion of informal briefing.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk

FILED: January 26, 2021

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O R D E R

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge King, Judge Harris, and Senior Judge Shedd.

For the Court

/s/ Patricia S. Connor, Clerk