

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

C. Holmes,
Petitioner,

v.

Blue Cross Blue Shield of South Carolina, et al.
Respondents.

APPENDIX

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UNPUBLISHED

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

No. 21-155

C. HOLMES,

Petitioner,

v.

BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA, INC.; J. DOE #1
THROUGH J. DOE #X; SCOTT MCCARTHA; MS. SHIPMAN,

Respondents.

Appeal from the United States District Court for the District of South Carolina, at
Charleston. Bruce H. Hendricks, District Judge. (2:20-cv-00004-BHH-MHC)

Submitted: June 24, 2021

Decided: June 29, 2021

Before KING and THACKER, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Petition denied by unpublished per curiam opinion.

C. Holmes, Petitioner Pro Se. James Whittington Clement, James B. Hood, HOOD LAW
FIRM, Charleston, South Carolina, for Respondents.

Unpublished opinions are not binding precedent in this circuit.

APP. A

PER CURIAM:

C. Holmes petitions for permission to appeal under 28 U.S.C. § 1292(b) the district court's orders denying her motion for a de novo determination by an Article III judge and denying reconsideration. 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). In order to be reviewed, the interlocutory orders must be certified by the district court in accordance with 28 U.S.C. § 1292(b). Because the district court did not certify the orders, we deny Holmes' petition for permission to appeal. 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.

PETITION DENIED

12/11/2020	35	TEXT ORDER denying ECF No. <u>21</u> and <u>28</u> : Plaintiff has appealed the Magistrate Judge's entry of a Roseboro order and a text order, and she has moved for a de novo determination by an Article III judge. In addition, she has requested that all time limits be held in abeyance. As the Magistrate Judge has previously explained to Plaintiff, however, to the extent she objects to the assignment of a United States Magistrate Judge, such assignment is automatic pursuant to the Local Civil Rules for the District of South Carolina, and the Court finds no merit to Plaintiff's objection. In addition, it appears that Plaintiff has been given sufficient extensions of time in this case, and the Court finds no reason to simply hold all time limits in abeyance indefinitely. Overall, the Court finds no merit to Plaintiff's appeals of the Magistrate Judge's orders, and the Court denies her appeals in full. Entered at the Direction of The Honorable Bruce Howe Hendricks on 12/10/2020. (vdru,) (Entered: 12/11/2020)
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09/14/2020	25	Text Order denying in part Motion for De Novo Determination (ECF No. 22). To the extent Plaintiff objects to assignment of a U.S. Magistrate Judge to her case, the assignment is automatic pursuant to Local Rule 73.02(B)(2)(e), D.S.C., such that her Motion is DENIED. Plaintiffs request to be allowed to file documents with the Court via FAX is also DENIED. However, in light of the current pandemic, and pursuant to Standing Order 3:20-mc-00122, in addition to the U.S. Mail, common carrier courier delivery, and using the drop box at the Court, pro se litigants are temporarily permitted to file documents in Portable Document Format (PDF) by email to pro-se-filings@scd.uscourts.gov. With regard to Plaintiffs request to hold the deadlines in the August 20, 2020 Roseboro Order (ECF No. 19) in abeyance or extended indefinitely, the Motion is DENIED. With regard to Plaintiffs request for an enlargement of time to respond to Defendant Blue Cross Blue Shield of South Carolinas Motion to Dismiss, Defendant has consented to a thirty (30) day extension, ECF Nos. 23 at 5; 24 at 4. Accordingly, Plaintiff is hereby GRANTED thirty (30) days from the date of this Order to file any response to Defendants Motion to Dismiss. Plaintiff's response due 10/14/2020. Entered at the direction of Magistrate Judge Molly H Cherry on 09/14/2020. (cpeg,) Modified on 9/14/2020 to correct docket text (cpeg,). (Entered: 09/14/2020)
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APP. 3

FILED: October 4, 2021

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-155
(2:20-cv-00004-BHH-MHC)

C. HOLMES

Petitioner

v.

BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA, INC.; J. DOE #1
THROUGH J. DOE #X; SCOTT MCCARTHA; MS. SHIPMAN

Respondents

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 Thacker, and Senior
Judge Traxler.

For the Court

/s/ Patricia S. Connor, Clerk

APC.C