

No.

IN THE
Supreme Court of the United States

KARL LINARD MALLOY,
Petitioner,

v.

KRISTIN E. SCHELIN AND MARK A. WATSON,
Respondents.

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT*

(Case No. 25-1067)

APPENDIX TO
PETITION FOR A WRIT OF CERTIORARI

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**APPENDIX TO
PETITION FOR A WRIT OF CERTIORARI**

TABLE OF CONTENTS

Appendix A—Court of Appeals Opinion Affirming the Judgments of the District Court (December 1, 2025).....	3a
Appendix B—Court of Appeals Judgment Affirming the Judgments of the District Court (December 1, 2025).....	5a
Appendix C—Court of Appeals Order Denying Petition for Rehearing and Rehearing En Banc (December 30, 2025).....	6a
Appendix D—District Court Order Dismissing Appeal As Moot (December 18, 2024).....	7a
Appendix E—Bankruptcy Court Order Granting Motion for Expedited Hearing and Motion for Remand December 20, 2023).....	10a
Appendix F—Bankruptcy Court Corrected Memorandum Opinion and Order Denying Motion to Stay Order Pending Appeal (January 12, 2024).....	25a
Appendix G—11 U.S.C. § 362.....	35a
Appendix H—28 U.S.C. § 1254(1).....	67a
Appendix I—28 U.S.C. § 1334(d).....	68a

Appendix J—28 U.S.C. § 1452.....70
Appendix K—28 U.S.C. § 2101(c).....71a
**Appendix L—Transcript of Motion Hearing Before
Judge Kevin R. Huennekens
(January 10, 2024).....73a**

APPENDIX A

UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE
FOURTH CIRCUIT

No. 25-1067

KRISTIN E. SCHELIN; MARK A. WATSON,
Plaintiffs - Appellees,

v.

KARL L. MALLOY,
Defendant - Appellant.

Appeal from the United States District Court for the
Eastern District of Virginia, at Richmond. M. Hannah
Lauck, District Judge. (3:24-cv-00059-MHL)

Submitted: November 25, 2025 Decided: December
1, 2025

Before WYNN and RICHARDSON, Circuit Judges,
and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Karl Linard Malloy, Appellant Pro Se. Christopher
Lawrence Perkins, ECKERT SEAMANS CHERIN &
MELLOTT, LLC, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in
this circuit.

PER CURIAM:

Karl Linard Malloy appeals the district court's order dismissing as moot his appeal from the bankruptcy court's order denying his motion for a stay pending appeal of the bankruptcy court's order remanding to the state court an action that Malloy removed to the bankruptcy court. Because the district court has affirmed the bankruptcy court's remand order, *Schelin v. Malloy*, No. 3:24-cv-00002-MHL (E.D. Va. Nov. 19, 2024), and because this court lacks jurisdiction to review the remand order, see 28 U.S.C. § 1334(d), the district court properly dismissed Malloy's appeal as moot. See *In re Pruett*, 133 F.3d 275, 278 (4th Cir. 1997) ("An appeal should be dismissed as moot when, by virtue of an intervening event, a court of appeals cannot grant any effectual relief whatever in favor of the appellant." (citation modified)). Accordingly, we affirm the district court's order. See *Schelin v. Malloy*, No. 3:24-cv-00059-MHL (E.D. Va. Dec. 18, 2024). 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

APPENDIX B

FILED: December 1, 2025
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT
No. 25-1067 (3:24-cv-00059-MHL)
KRISTIN E. SCHELIN; MARK A. WATSON
Plaintiffs - Appellees

v.

KARL L. MALLOY
Defendant - Appellant

J U D G M E N T

In accordance with the decision of this court,
the judgment of the district court is affirmed.

This judgment shall take effect upon issuance
of this court's mandate in accordance with Fed. R.
App. P. 41.

/s/ NWAMAKA ANOWI, CLERK

APPENDIX C

FILED: December 30, 2025

UNITED STATES COURT OF APPEALS FOR THE
FOURTH CIRCUIT

No. 25-1067 (3:24-cv-00059-MHL)

KRISTIN E. SCHELIN; MARK A. WATSON

Plaintiffs - Appellees

v.

KARL L. MALLOY

Defendant - Appellant

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. 40 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge Wynn, Judge Richardson, and Senior Judge Keenan.

For the Court

/s/ Nwamaka Anowi, Clerk

APPENDIX D

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

KARL LINARD MALLOY,

Appellant,

v. Civil Action No. 3:24cv59

KRISTINE. SCHELIN,

and MARK A. WATSON,

Appellees.

ORDER

This matter comes before the Court on prose Appellant Karl Linard Malloy's appeal from the United States Bankruptcy Court for the Eastern District of Virginia's ("Bankruptcy Court") January 12, 2024 Corrected Memorandum Opinion and Order Denying Motion to Stay Order Pending Appeal. (ECF No. 1.) Because Mr. Malloy's appeal is moot, the Court will dismiss the appeal.

On December 20, 2023, in its Order Granting Motion for Expedited Hearing and Motion to Remand (the "Remand Order"), the Bankruptcy Court "remanded [certain] State Court Litigation to the Powhatan County Circuit Court." (ECF No. 1-1, at 5.) On January 2, 2024, Mr. Malloy appealed the Remand Order to this Court. (Case No. 3:24-cv-

00002-MHL, ECF No. 1-1.) On January 3, 2024, Mr. Malloy filed a Motion to Stay Order Pending Appeal (the "Motion to Stay") with the Bankruptcy Court, "by which he requested that [the Bankruptcy] Court stay the Remand Order until the District Court renders a decision in the Appeal." (ECF No. 1-1, at 6.) On January 12, 2024, with the benefit of briefing by both parties and a hearing on the Motion to Stay, the Bankruptcy Court denied the Motion to Stay. (ECF No. 1-1, at 5-6, 11.)

On November 19, 2024 this Court dismissed Mr. Malloy's appeal of the Remand Order, finding that "the Bankruptcy Court properly granted the Motion for Remand. (Case No. 3:24-cv-00002-MHL, ECF No. 37, at 4, 8.) Because this Court dismissed Mr. Malloy's appeal of the Remand Order his present appeal of the Bankruptcy Court's Corrected Memorandum Opinion and Order Denying Motion to Stay Order Pending Appeal is moot and must be dismissed. *Church of Scientology of Cal. v. United States*, 506 U.S. 9, 12 (1992) (holding that "if an event occurs while a case is pending on appeal that makes it impossible for the court to grant 'any effectual relief whatever' to a prevailing party, the appeal must be dismissed") (citation omitted). Thus, the Court DISMISSES Mr. Malloy's appeal.

To the extent Mr. Malloy believes he has a right (and proper basis) to appeal this decision of the Court Mr. Malloy is advised that he must file a proper written notice of appeal within thirty (30) days of the date of entry hereof. Failure to file a

9a

written notice of appeal may result in the loss of the right to appeal.

Let the Clerk send a copy of this Order to all counsel of record and to Mr. Malloy at his address of record.

It is SO ORDERED.

Date: 12/18/24

Richmond, Virginia

/s/ M. Hannah Lauck

United States District Judge

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