No. _____

(CA4 25-1650)
(8:23-cv-06873)

IN THE
SUPREME COURT OF THE UNITED STATES

J. Doe,
as personal representative (PR),

Plaintiff,

-vs-

Augusta University, f/k/a
Medical College of Georgia (MCG),
Select Specialty Hospital – Augusta, Inc.
Select Medical Holdings Corp.,
Greenwood Regional Rehabilitation Hospital,
Erika Simmerman Mabes, D.O.,
John Roe # 1 Through
John Roe # X,

Defendants.

SECOND AMENDED MOTION FOR ENLARGEMENT OF TIME

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SUPREME COURT, U.S.

The undersigned mailed the original Motion for Enlargement of time on or about September 28, 2026. Per request, the first amended Motion for Enlargement of Time is mailed on or about October 16, 2026. Sara Simmons responded to our recent phone follow-up stating it has not been received. This second amended Motion for Enlargement of Time is mailed on November 2, 2026 (times two).

The undersigned appellant respectfully makes this motion with abeyance request for enlargement of additional 60 days time to file Petition for a Writ of Certiorari in order to comply with the United States Supreme Court Rules and requirements. By analogy, broad discretion is granted under Rule 6(b)(1), Fed. R. Civ. P. *See Lonestar Steakhouse & Saloon v. Alpha of Va., Inc.*, 43 F.3rd 922, 929 (4thCir.1995).”’[A]n application under Rule 6(b)(1) normally will be granted in the absence of bad faith or prejudice to the adverse party.’” *Mickalis Pawn Shop, LLC, v. Bloomberg*, 465 F.Supp.2d 543, 545 (D.S.C. 2006) (citations omitted). It is respectfully submitted there is no bad faith or prejudice to the adverse party.

For substantial justice affecting substantial rights, appellant hereby respectfully requests enlargement of time with abeyance pending resolution of this motion.

Respectfully,

C. Holmes
PO Box 187
Sullivans Island, SC 29482
843.883.3010

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1650

J. DOE, as personal representative (PR),

Plaintiff - Appellant,

v.

AUGUSTA UNIVERSITY, f/k/a Medical College of Georgia (MCG); SELECT SPECIALTY HOSPITAL - AUGUSTA, INC.; SELECT MEDICAL HOLDINGS CORP.; GREENWOOD REGIONAL REHABILITATION HOSPITAL; ERIKA SIMMERMAN MABES, D.O.; JOHN ROE #1 THROUGH JOHN ROE # X; MEDICAL COLLEGE OF GEORGIA (MCG),

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Richard Mark Gergel, District Judge. (8:23-cv-06873-RMG-WSB)

Submitted: June 25, 2026 Decided: June 29, 2026

Before BENJAMIN and BERNER, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

J. Doe, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

J. Doe seeks to appeal the district court's order referring her case back to the magistrate judge to allow additional time to seek relief from the final judgment based on her voluntary dismissal of her civil complaint under Fed. R. Civ. P. 60(b) and the magistrate judge's order complying with that directive. Doe also moves for reconsideration and the application of intervening new law to her underlying case. 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 Doe seeks to appeal are neither final orders nor appealable interlocutory or collateral orders.*

Accordingly, we deny Doe's pending motions and dismiss the appeal 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

* Although the district court has since entered a final judgment ruling on Doe's Rule 60(b) motion, the doctrine of cumulative finality does not cure the jurisdictional defect because neither order Doe seeks to appeal could have been certified for immediate appeal by the district court. *See Houck v. LifeStore Bank*, 41 F.4th 266, 270-71 (4th Cir. 2022).

FILED: July 31, 2026

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1650
(8:23-cv-06873-RMG-WSB)

J. DOE, as personal representative (PR)

Plaintiff - Appellant

v.

AUGUSTA UNIVERSITY, f/k/a Medical College of Georgia (MCG); SELECT SPECIALTY HOSPITAL - AUGUSTA, INC.; SELECT MEDICAL HOLDINGS CORP.; GREENWOOD REGIONAL REHABILITATION HOSPITAL; ERIKA SIMMERMAN MABES, D.O.; JOHN ROE #1 THROUGH JOHN ROE # X; MEDICAL COLLEGE OF GEORGIA (MCG)

Defendants - Appellees

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 Benjamin, Judge Berner, and Senior Judge Traxler.

For the Court

/s/ Nwamaka Anowi, Clerk

Certificate of Service

I hereby certify that defendants have not been served because defendants have not been brought into this case or otherwise appeared.

Dated 11/3/24

C. Holmes
PO Box 187
Sullivans Island, SC 29482
843.883.3010