

1 Lee Kent Hempfling, Pro Se
2 11329 E. Caballero St.
3 Mesa, AZ 85207
4 480-332-1535

DENIED
PM Duffy 12/7/04
Patrick Michael Duffy Date
United States District Judge

FILED

DEC 3 2004
CCM
LARRY W. PROPES, CLERK
CHARLESTON, SC

5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE DISTRICT OF SOUTH CAROLINA**

FILED

7 Lee Kent Hempfling,

) Case No.: 2:04-01373-23BG

8 Plaintiff,

LARRY W. PROPES, CLERK
CHARLESTON, SC

9 vs.

ENTERED
12/9/04

10 L.M. Communications Of South Carolina

11 Inc., A Kentucky Corporation, .

**MOTION OF APPEAL
TO DISTRICT JUDGE**

12 L.M. Communications II Of South Carolina

13 Inc., A Kentucky Corporation,

14 Defendants

15
16 Notice is hereby given that Lee Kent Hempfling, Pro se Plaintiff in the
17 above named case, hereby moves the court to appeal to the United States District Court
18 Judge for the Fourth Circuit, District of South Carolina from the Magistrate Judge's order
19 granting Defendants an extension of time to respond to a motion for summary judgment
20 entered in this action.

21
22 **BACKGROUND**

23
24 Six months after filing this case, after two changes in the date to complete
25 discovery without Defendants seeking discovery; the Pro se Plaintiff served and filed

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