

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-1455

DONALD G. CROMER,

Plaintiff - Appellant,

versus

KRAFT FOODS, INCORPORATED,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Carl Horn, III, Chief Magistrate Judge. (CA-97-594-3-H)

Submitted: August 22, 2001

Decided: October 1, 2001

Before WILKINS, WILLIAMS, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Donald G. Cromer, Appellant Pro Se. Joel H. Spitz, Christy E. Phanthavong, Timothy C. Klenk, ROSS & HARDIES, Chicago, Illinois; William Charles Livingston, KENNEDY, COVINGTON, LOBDELL & HICKMAN, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Donald Cromer appeals from the magistrate judge's orders filed on February 28 & March 3, 2001, and entered on March 1 & 13, 2001, denying several motions that were pending in the district court while the case was on appeal and denying Cromer's motion for reconsideration.* We have reviewed the record and the district court's order and dismiss the appeals as the motions at issue were previously considered or attacked the judgment, which has already been affirmed on appeal. We deny Cromer's emergency motion to have a single judge to strike the Appellee's informal brief as untimely. We also deny as moot Cromer's motion to release a sealed record, as the record was already available to Cromer and the court for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

* The parties consented to the jurisdiction of a magistrate judge.