

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT  
J. Waties Waring Judicial Center, 83 Meeting Street, Charleston, S.C. 29401, Courtroom 3 (Sol Blatt Courtroom)  
Friday, September 16, 2022, 1:00 p.m.

REVD 8/31/22

Masks are required for entry to the courthouse and are encouraged for all spectators in the courtroom. Counsel may remove their masks while at counsel table or at the lectern. Electronic devices are permitted for attorneys (with bar cards) and court staff; devices must be silenced in the courtroom. Photography and recording are prohibited without prior authorization.

Case Schedule

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21-1196      [Briefs](#)      CONTRACT: Whether district court erred by concluding that defendant properly terminated plaintiff's  
Timothy Capps v. Newmark Southern Region      position for cause under New York law; other issues.  
(Flanagan)

BEFORE Judge Richardson, Senior Judge Floyd and Judge Hendricks\*

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20-1834      [Briefs](#)      CIVIL: Whether district court properly dismissed civil action for lack of subject matter jurisdiction  
K.I. v. Durham Public Schools Board      based on failure to exhaust administrative remedies under IDEA.  
(Biggs)

BEFORE Judge Richardson, Judge Quattlebaum, Senior Judge Floyd

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21-4175      [Briefs](#)      CRIMINAL: Whether the district court erred in denying motion to suppress unprotected statements  
US v. Ervin Leggette      based on finding that Leggette was not in custody for Miranda purposes.  
(Schroeder)

BEFORE Judge Richardson, Judge Quattlebaum, Senior Judge Floyd

Friday, September 16, 2022, 1:00 p.m.

[LISTEN](#)

\*The Honorable Bruce H. Hendricks, District of South Carolina