

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1977

KIYA CUNNINGHAM,

Plaintiff - Appellant,

v.

WELLS FARGO BANK, N.A.,

Defendant - Appellee.

No. 23-1978

KIYA CUNNINGHAM,

Plaintiff - Appellant,

v.

WELLS FARGO BANK, N.A.; NADINE MOONEY; JENNIFER S. JOHNSON,
a/k/a Jennifer Peach; TRACY A. TOLAND; DAVID MCDOWELL; CHARLES
STOKES, a/k/a Chuck Stokes,

Defendants - Appellees.

Appeals from the United States District Court for the Western District of North Carolina,
at Charlotte. Robert J. Conrad, Jr., District Judge; Frank D. Whitney, Senior District Judge.
(3:19-cv-00528-FDW; 3:22-cv-00094-RJC)

Submitted: March 31, 2025

Decided: May 9, 2025

Before THACKER and RUSHING, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Kiya Cunningham, Appellant Pro Se. Kevin Joseph Dalton, FISHER & PHILLIPS, LLP,
Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Kiya Cunningham appeals from the district court's orders granting Wells Fargo Bank, N.A.'s motions to strike and for summary judgment, treating her motion for reconsideration as a Fed. R. Civ. P. 59(e) motion to alter or amend judgment, and denying relief under Rule 59(e) in her civil action for discrimination, a hostile work environment, retaliation, and interference (No. 23-1977) and from the district court's orders granting the motion filed by Wells Fargo and several of its employees to dismiss Cunningham's separate civil action for failure to state a claim and denying Cunningham's motion for reconsideration pursued under Rule 59(e) and Fed. R. Civ. P. 60 (No. 23-1978).

Appellees have moved to strike Cunningham's supplemental informal brief as unauthorized and untimely and, after review of the motion and Cunningham's response to it, we grant the motion to strike and deny as moot Appellees' motion to extend the time for filing a response to Cunningham's supplemental informal brief. In the informal briefing Cunningham properly filed, she contends in appeal No. 23-1977 that the district court erred in denying her motion to enforce a discovery order. She also challenges the district court's rulings striking her response to Wells Fargo's summary judgment motion and granting that motion. In appeal No. 23-1978, Cunningham challenges the district court's denial of relief under Rule 60.

We conclude after review that the district court did not abuse its discretion in granting Wells Fargo's motion to strike Cunningham's response to its summary judgment motion. *See United States v. Ancient Coin Collectors Guild*, 899 F.3d 295, 324 (4th Cir.

2018) (applying abuse of discretion standard to review of district court ruling striking pleading); *Turner v. United States*, 736 F.3d 274, 283 (4th Cir. 2013) (reviewing “a district court’s decisions pertaining to the management of its own docket” for abuse of discretion). Because Cunningham’s briefing does not present developed argument challenging the bases undergirding the district court’s rulings denying her motion to enforce, granting summary judgment to Wells Fargo, and denying relief under Rule 60, we conclude that she has waived appellate review of those rulings. *See Just Puppies, Inc. v. Brown*, 123 F.4th 652, 660 n.4 (4th Cir. 2024); *Grayson O Co. v. Agadir Int’l LLC*, 856 F.3d 307, 316 (4th Cir. 2017).

Accordingly, we affirm the district court’s orders. 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