

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1969

TOMMY SEVILLA, individually and as next friends of their minor children, L.S., G.S., and I.B.; MELODIE SEVILLA, individually and as next friends of their minor children, L.S., G.S., and I.B.,

Plaintiffs - Appellants,

v.

AKIL ROSS, SR., Superintendent, Lexington-Richland 5; KAREN HAMPTON, Principal, Irmo High School; MANSA JOSEPH, Principal, Irmo Middle School; AMANDA NEAL, School Staff, Irmo Middle; TEON PETREE, SR., Coach; AARON BRAND, Football Coach; PAUL CALVERT, Athletic Director; JEANNA LOCKLAIR, VP and 504 Coordinator; JINNI FRIEND; TAMARA TURNER; REGGIE WICKER; STEVEN PUCKETT, District Athletic Director; JORDAN INGRAM; GARY STEPHENS, Football Coach; BROOKS RAILEY; DEPUTY CHRISTIAN FORERO, Lexington County Sheriff's Office; ROSS WISE, Internal Investigator; NESHUANDA WALTERS, 504 Administrator; AMANDA TAYLOR, FOIA Officer; SUSAN NOLLER; JOHN DOE, Law Enforcement Officer (Gilbert High); KEVIN SCULLY, LR5 Board Member; MATT SATTERFIELD, LR5 Board Member; KIMBERLY SNIPES, LR5 Board Member; DAVID HERRING, LR5 Board Member; JONATHAN COLON, Custodian; MICHAEL HARRIS, Human Resources; LEXINGTON SCHOOL DISTRICT ONE, Public Entity; COACH MITCH HUDSON; UNNAMED ATHLETIC DIRECTOR; JEROME SINGLETON; MICHAEL MONTGOMERY, SCHSL Officials; MICHELLE SWINDLER, LR5 Administrator/English Teacher; DEPUTY ANTHONY, Lexington County Sheriff's Office; MRS. BLACKBURN, White Knoll High School; SAFESPORT; NFHS; SCHSL, Governing Bodies,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Jacquelyn Denise Austin, District Judge. (3:25-cv-03528-JDA-SVH)

Submitted: October 24, 2025

Decided: November 19, 2025

Before GREGORY and HARRIS, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed in part and affirmed in part by unpublished per curiam opinion.

Tommy Sevilla, Melodie Sevilla, Appellants Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants Tommy Sevilla and Melodie Sevilla seek to appeal the district court's order accepting the recommendation of the magistrate judge and denying Appellants' motion for leave to proceed in forma pauperis and for appointment of counsel in their civil action. We dismiss in part and affirm in part. We also deny the pending motions.*

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1291; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). The district court's denial of Appellants' motion for appointment of counsel is neither a final order nor an appealable interlocutory or collateral order. Accordingly, we dismiss this portion of the appeal.

We have jurisdiction to review the district court's denial of Appellants' motion to proceed in forma pauperis. *See Roberts v. U.S. Dist. Ct.*, 339 U.S. 844, 845 (1950). We review the denial for abuse of discretion. *See Dillard v. Liberty Loan Corp.*, 626 F.2d 363, 364 (4th Cir. 1980). “A district court abuses its discretion if its conclusion is guided by erroneous legal principles or rests upon a clearly erroneous factual finding.” *Austin v. Experian Info. Sols., Inc.*, 148 F.4th 194, 202 (4th Cir. 2025). “At its immovable core, the abuse of discretion standard requires a reviewing court to show enough deference to a primary decision-maker's judgment that the court does not reverse merely because it would

* We note that our denial of Appellants' motion to seal is without prejudice to any motion they may file in the district court, *see* 4th Cir. R. 25(c)(2) (requiring that motions to seal the record be filed and resolved in the district court), and Appellants must comply with the rules for filing confidential and sealed material on appeal, *see* 4th Cir. R. 25(c)(3).

have come to a different result in the first instance.’” *Id.* We have reviewed the record and conclude that the district court did not abuse its discretion in denying Appellants’ motion to proceed in forma pauperis; and we affirm this portion of the district court’s order. *See Sevilla v. Ross*, No. 3:25-cv-03528-JDA-SVH (D.S.C. Aug. 5, 2025).

We therefore dismiss the portion of this appeal challenging the district court’s denial of Appellants’ motion for appointment of counsel, and we affirm the district court’s denial of their motion to proceed in forma pauperis. 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 IN PART,
AFFIRMED IN PART*