

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

US Bank National Association,

C/A No. 3:22-cv-4215-SAL

Plaintiff,

v.

ORDERTracie L. Green, a/k/a Tracie Ledora
Mitchem-Green; Cardinal Pines
Homeowners' Association, Inc.; Palmetto
Citizens Federal Credit Union,**RECEIVED****Mar 04 2025**

Defendants.

SC Court of Appeals

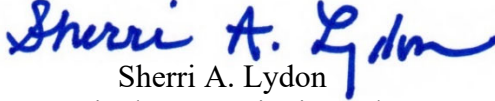
This is a closed case. In November 2022, Defendant Tracie L. Green, proceeding pro se and in forma pauperis, filed a notice of removal that purported to remove a mortgage foreclosure action (“foreclosure action”) filed in the Court of Common Pleas in Lexington County, South Carolina. In December 2022, the magistrate judge assigned to this matter issued a Report and Recommendation (“Report”), recommending this court remand the case to the Court of Common Pleas of Lexington County, South Carolina, for lack of subject matter jurisdiction and because Defendant had not complied with the procedure required for removal under 28 U.S.C. § 1446. [ECF No. 13.] Defendant filed a response to the Report, but she failed to raise any specific objections to the Report or to address the jurisdictional and procedural defects in her case. [ECF No. 24.] Accordingly, the court adopted the report and remanded this matter to the Lexington County Court of Common Pleas. *Id.*

Defendant then appealed this court’s decision to the Fourth Circuit. In October 2023, the Fourth Circuit dismissed the appeal for lack of jurisdiction, noting this court had expressly determined it lacked subject matter jurisdiction. [ECF No. 38.]

On February 12, 2025, Defendant filed a packet of documents that have been docketed as a motion for reconsideration (ECF Nos. 42, 45),¹ a motion to stay and for preliminary injunction (ECF No. 43), and a motion for leave to proceed in forma pauperis (ECF Nos. 44, 46). But, for the same reasons already identified by this court, this court lacks subject matter jurisdiction over this matter. It has been remanded, and this is a closed case. None of the information provided in Defendant's submissions to the court cures the jurisdictional and procedural defects in her case. Accordingly, Defendant's pending motions for reconsideration (ECF Nos. 42, 45) and her motion to stay and for a preliminary injunction (ECF No. 43) are **DENIED**. Her motion for leave to proceed in forma pauperis (ECF Nos. 44, 46) is **TERMINATED AS MOOT**.²

IT IS SO ORDERED.

February 18, 2025
Columbia, South Carolina


Sherri A. Lydon
United States District Judge

¹ These are styled as a notice of removal, but they concern the same state court foreclosure action that this court has already remanded to state court.

² The magistrate judge previously granted a motion to proceed in forma pauperis in this case. *See* ECF No. 10.