

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-94-D

PERRY BROWN, JR., Administrator)
of the Estate of Perry Brown, Sr.,)
)
Plaintiff,)
)
v.)
)
UNITED STATES DEPARTMENT OF)
HEALTH AND HUMAN SERVICES,)
)
Defendant.)

ORDER

Plaintiff seeks to file an interlocutory appeal [D.E. 20] concerning this court’s order of July 22, 2010 [D.E. 12]. Defendant opposes the request [D.E. 22].

The standard for certification of an interlocutory appeal under 28 U.S.C. § 1292(b) is demanding. See Wyeth v. Sandoz, Inc., 703 F. Supp. 2d 508, 524–25 (E.D.N.C. 2010) (collecting cases). Plaintiff has failed to meet the standard. Accordingly, plaintiff’s motion [D.E. 20] is DENIED.

SO ORDERED. This 4 day of October 2010.


JAMES C. DEVER III
United States District Judge