

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Unula Boo-Shawn Abebe a/k/a Unula B ) C/A No. 5:11-cv-2750-RMG-KDW  
Abebe, )  
)  
Plaintiff, )  
)  
vs. ) ORDER  
)  
Lieutenant Carter, Maurice Green, et al., )  
)  
Defendants. )  
\_\_\_\_\_ )

This matter is before the court on Plaintiff’s Motion to Disqualify Judges filed on April 1, 2013. ECF No. 119. Plaintiff contends that the undersigned and District Judge Gergel have “a agenda that they want implemented in this case to obtain whatever result they have preconceived.” *Id.* Plaintiff contends that the rulings in his case have been erroneous, and more specifically complains that Judge Gergel improperly extended the dispositive motions deadline when he allowed the Defendants to file a supplemental summary judgment motion. *Id.* Plaintiff requests that Judge Gergel be disqualified. *Id.*

A judge should recuse him or herself if the judge’s “impartiality might reasonably be questioned.” 28 U.S.C.A. § 455(a). In addition, a judge must disqualify him or herself “[w]here he has a personal bias ... concerning a party....” *Id.* § 455(b)(1). The Fourth Circuit has ruled that “a presiding judge is not required to recuse [him or herself] because of ‘unsupported, irrational or highly tenuous speculation.’ ” *United States v. Cherry*, 330 F.3d 658, 665 (4th Cir. 2003) (citing *United States v. DeTemple*, 162 F.3d 279, 287 (4th Cir. 1998)). The test to be applied is “whether

another with knowledge of all of the circumstances might reasonably question the judge's impartiality." *Id.*

The court has reviewed Plaintiff's allegations supporting his motion to disqualify and finds them to be meritless. "[J]udicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *United States v. Lentz*, 524 F.3d 501, 530 (4th Cir. 2008). Accordingly, Plaintiff's Motion to Disqualify Judges, ECF No. 119, is denied.

IT IS SO ORDERED.

May 7, 2013  
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West  
United States Magistrate Judge