

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1858

B.D., by her parent other Heidi Dragomir,

Plaintiff - Appellant,

v.

JANA GRIGGS, Director of Special Services official and individual capacity of Buncombe County Board of Education; MARY WATSON, Director of Exceptional Children Division of Public Schools of N.C. Department of Public Instruction-official capacity; ALEXA POSNY, U.S. Department of Education Assistant Secretary for Special Education and Rehabilitation Services-official capacity; JULIAN MANN, III, Director and Chief Administrative Law Judge of Office of Administrative Hearings; GEORGE MILLER, Education and Labor Committee Congressman c/o Daniel Weiss-official capacity; BUNCOMBE COUNTY BOARD OF EDUCATION,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Martin K. Reidinger, District Judge. (1:09-cv-00439-MR-DLH)

Submitted: March 22, 2011

Decided: March 31, 2011

Before MOTZ, GREGORY, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

B.D., Appellant Pro Se. Karl Dean Shatley, II, CAMPBELL SHATLEY, PLLC, Asheville, North Carolina; Brian R. Berman,

OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina; Grady L. Balentine, Jr., Special Deputy Attorney General, Laura Ellen Crumpler, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina; Paul Bradford Taylor, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, John D. Filamor, OFFICE OF THE GENERAL COUNSEL, Washington D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Heidi Dragomir appeals the district court's order accepting the recommendation of the magistrate judge in part and dismissing without prejudice for lack of standing claims Dragomir asserted on behalf of her minor child and dismissing claims Dragomir asserted on her own behalf for failure to state a claim. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. B.D. v. Griggs, No. 1:09-cv-00439-MR-DLH (W.D.N.C. July 13, 2010). We deny Dragomir's motion to appoint counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED