

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1482

CYNTHIA L. FOULKE,

Plaintiff - Appellant,

v.

MARLA G. DECKER, in her official capacity as the Secretary of Public Safety, Commonwealth of Virginia; JANET POLAREK, in her official capacity as Secretary of the Commonwealth of Virginia; W. STEVEN FLAHERTY, in his individual capacity and official capacity as the Superintendent of Virginia State Police; GARY B. PAYNE, in his individual capacity; JAMES L. HOPKINS, in his individual capacity; NATHAN E. HOLLANDSWORTH, in his individual capacity,

Defendants - Appellees,

and

VIRGINIA STATE POLICE; COMMONWEALTH OF VIRGINIA,

Defendants.

Appeal from the United States District Court for the Western District of Virginia, at Lynchburg. Norman K. Moon, Senior District Judge. (6:12-cv-00006-NKM-RSB)

Submitted: August 14, 2013

Decided: August 27, 2013

Before WILKINSON, NIEMEYER, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Cynthia L. Foulke, Appellant Pro Se. George Walerian
Chabalewski, Christy Monolo, OFFICE OF THE ATTORNEY GENERAL OF
VIRGINIA, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cynthia L. Foulke appeals the district court's order denying relief on her 42 U.S.C. § 1983 (2006) complaint.* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Foulke v. Decker, No. 6:12-cv-00006-NKM-RSB (W.D. Va. Sept. 24, 2012). 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.

AFFIRMED

* We note that Foulke did not indicate in her notice of appeal that she sought to appeal the district court's order denying reconsideration. See Fed. R. App. P. 4(a)(4)(B)(ii). Although she mentioned the order denying reconsideration in her informal brief, the brief was not filed within the appeal period. See Smith v. Barry, 502 U.S. 242, 245 (1992) (holding that appellate brief may serve as notice of appeal provided it otherwise complies with rules governing proper timing and substance).