

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 22-1417**

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LISA MARIE KERR,

Plaintiff - Appellant,

v.

SHANNON MCKAY; LANCE WHALEY; WEST VIRGINIA DEPARTMENT  
OF HEALTH AND HUMAN RESOURCES,

Defendants - Appellees.

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Appeal from the United States District Court for the Southern District of West Virginia, at  
Charleston. John T. Copenhaver, Jr., Senior District Judge. (2:20-cv-00190)

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Submitted: August 18, 2023

Decided: October 11, 2023

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Before WILKINSON, WYNN, and BENJAMIN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**ON BRIEF:** Lisa Marie Kerr, KERR LAW PLLC, Charleston, West Virginia, for  
Appellant. Julie Meeks Greco, Katie Hicklin Luyster, PULLIN, FOWLER, FLANAGAN,  
BROWN & POE, PLLC, Charleston, West Virginia; Natalie Schaefer, Caleb B. David,  
SHUMAN MCCUSKEY SLICER PLLC, Charleston, West Virginia; Jan L. Fox, Michelle  
E. Gaston, Mark C. Dean, STEPTOE & JOHNSON PLLC, Charleston, West Virginia, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Lisa Marie Kerr appeals from the district court's order adopting the recommendation of the magistrate judge and granting summary judgment to Defendants in her civil action and ruling denying her motion for leave to file a supplemental affidavit opposing Defendants' summary judgment motions. Reviewing the district court's grant of summary judgment to Defendants de novo, *Smith v. CSRA*, 12 F.4th 396, 402 (4th Cir. 2021), and the court's denial of Kerr's motion for leave to file for abuse of discretion, *FDIC v. Cashion*, 720 F.3d 169, 173-74 (4th Cir. 2013), we find no reversible error. Accordingly, we affirm the district court's order and ruling. *Kerr v. McKay*, No. 2:20-cv-00190 (S.D.W. Va. Mar. 31, 2022). 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*