

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6551

DARYLL KEITH SHUMAKE,

Plaintiff - Appellant,

v.

THE COMMONWEALTH OF VIRGINIA,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Michael F. Urbanski, Chief District Judge. (7:18-cv-00264-MFU-RSB)

Submitted: March 18, 2024

Decided: April 30, 2024

Before NIEMEYER, GREGORY, and HEYTENS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Daryll Keith Shumake, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Daryll Keith Shumake appeals the district court's order denying his motions to reconsider the district court's prior order dismissing his 42 U.S.C. § 1983 complaint and to amend his complaint to include additional claims. We have reviewed the record and find no reversible error. Accordingly, we deny the pending motions and affirm the district court's order.* *See Shumake v. Virginia*, No. 7:18-cv-00264-MFU-RSB (W.D. Va. Apr. 8, 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

* To the extent Shumake seeks to assert new claims in his motions filed on appeal, our denial is without prejudice to any right he may have to assert such claims in a new civil action. We are a “court of review, not first view.” *United States v. Frank*, 8 F.4th 320, 333 (4th Cir. 2021). We express no view on the merits or viability of any such claims.