

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1043

JOHNNIE MAE ROBINSON,

Plaintiff - Appellant,

v.

PRESBYTERIAN WOUND CARE CENTER,

Defendant - Appellee,

and

JAN PICKETT, Nurse Practitioner; TAMMY HAY, MEMA Employee;
WENDY GEORGE, Manager for Meridian Health Care,

Defendants.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Frank D. Whitney,
District Judge. (3:07-cv-00021-FDW-DCK)

Submitted: September 3, 2009

Decided: September 21, 2009

Before MOTZ and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Johnnie Mae Robinson, Appellant Pro Se. Patrick Eaton Kelly,
Kathleen Kanable Lucchesi, JOHNSTON, ALLISON & HORD, Charlotte,
North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Johnnie Mae Robinson appeals the jury's verdict in favor of the Appellee on Robinson's complaint of racial and age discrimination and retaliation. We have reviewed the record and find no reversible error. Accordingly, we affirm the judgment.

To the extent that Robinson appeals the judgment based on the proceedings of the jury trial or summary judgment hearing, the record does not contain a transcript of those proceedings. An appellant has the burden of including in the record on appeal a transcript of all parts of the proceedings material to the issues raised on appeal. See Fed. R. App. P. 10(b); 4th Cir. R. 10(c). An appellant proceeding on appeal in forma pauperis is entitled to transcripts at government expense only if the trial judge or a circuit judge certifies that the appeal is not frivolous but presents a substantial question. 28 U.S.C. § 753(f) (2006). Here, the district court declined to certify Robinson's appeal. We have reviewed the record including the affidavits, motions, and exhibits, and conclude that no error appears on the record before us and Robinson does not present a substantial question on appeal under 28 U.S.C. § 753(f). We therefore find that she does not qualify for transcripts at government expense. 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