

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-1820

SAMUEL B. DAVIS., JR.,

Plaintiff - Appellant,

v.

CITY OF NEWPORT NEWS, VIRGINIA; ESTATE OF GLADYS LOUISE
BARCLAY, Successor in Interest to Louise Barclay Davis,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Newport News. Rebecca Beach Smith,
District Judge. (4:10-cv-00033-TEM)

Submitted: October 14, 2010

Decided: October 20, 2010

Before MOTZ, KING, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Samuel B. Davis, Jr., Appellant Pro Se. Marc Ericson Darnell,
KAUFMAN & CANOLES, PC, Newport News, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel B. Davis, Jr., appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint as time barred. The district court concluded that Davis's complaint was analogous to a Virginia state law claim of personal injury, applied Virginia's two-year statute of limitations for a personal injury claim, and dismissed as time barred. The court also noted it may lack jurisdiction in light of the nature of the relief Davis seeks.

After reviewing the record, we conclude that the district court lacked jurisdiction over Davis's complaint because of the nature of the relief sought. Davis essentially asked the district court to set aside unfavorable state court judgments. Davis has not identified any grant of federal jurisdiction allowing the district court to do so, and we conclude that the district court did not err in dismissing the complaint.

Accordingly, we affirm the judgment of the district court. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and oral argument would not aid the decisional process.

AFFIRMED