

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2175

LIBERTARIAN PARTY OF VIRGINIA; MATTHEW MOSLEY; WILBUR WOOD;
WILLIAM REDPATH; CATHERINE BARRETT; ROBERT BENEDICT,

Plaintiffs - Appellants,

v.

VA STATE BOARD OF ELECTIONS,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Leonie M. Brinkema,
District Judge. (1:10-cv-00615-LMB-TCB)

Submitted: May 13, 2011

Decided: June 3, 2011

Before MOTZ, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Gary Sinawski, Brooklyn, New York, for Appellants. Kenneth T.
Cuccinelli, II, Attorney General of Virginia, E. Duncan
Getchell, Jr., Solicitor General, Stephen R. McCullough, Senior
Appellate Counsel, Charles E. James, Jr., Chief Deputy Attorney
General, Wesley G. Russell, Jr., Deputy Attorney General,
Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

The Libertarian Party of Virginia, Matthew Mosley, Wilbur Wood, William Redpath, Catherine Barrett, and Robert Benedict appeal the district court's order granting the Virginia State Board of Elections' motion to dismiss. After reviewing the record and the district court's opinion, we agree that the Appellants' suit is barred by the Eleventh Amendment and therefore affirm. See *Libertarian Party of Va. v. Va. St. Bd. of Elections*, No. 1:10-cv-00615-LMB-TCB (E.D. Va. Sept. 16, 2010). 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