

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-7562**

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KENNETH H. NEWKIRK,

Plaintiff - Appellant,

v.

MS. GREEN, Deputy/Transportation; MR. MILTON, Deputy/Law  
Library; MR. DICKERSON, Deputy/Classification; MS. J. O.  
PERRY, Deputy/Classification; MS. CHEESEBORO, Sergeant/Was  
in Records; MR. VOGT, Deputy/Work in the Hole 1-4  
Segregation; MS. WILLIAMS, Sergeant/Segregation 1-4; ROY  
CHERRY, Superintendent,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Richmond. Henry E. Hudson, District  
Judge. (3:12-cv-00327-HEH)

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Submitted: January 17, 2013                      Decided: January 22, 2013

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Before GREGORY, SHEDD, and KEENAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Kenneth H. Newkirk, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth H. Newkirk appeals the district court's order dismissing without prejudice his 42 U.S.C. § 1983 (2006) complaint for failure to prosecute.\* See Fed. R. Civ. P. 41(b). On appeal, we confine our review to the issues raised in the Appellant's brief. See 4th Cir. R. 34(b). Because Newkirk's informal brief does not challenge the basis for the district court's disposition, Newkirk has forfeited appellate review of the court's order. Accordingly, we affirm the district court's judgment, deny Newkirk's motion to be transferred to another prison and three motions for appointment of counsel, and deny as moot Newkirk's motion to withdraw two of his motions for appointment of counsel. 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

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\* The order is final and appealable as something more than an amendment to the complaint is needed to cure the defects in Newkirk's case. See Domino Sugar v. Sugar Workers Local Union 392, F.3d 1064, 1066-67 (4th Cir. 1993).