

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2013

ESPERANZA GUERRERO,

Plaintiff - Appellant,

and

JUAN GUERRERO; JJG, Minor; MG, Minor; JG, Minor; MARIA
MUNGUIA; KG, Minor,

Plaintiffs,

v.

CHARLIE T. DEANE, in his official capacity; DAVID L. MOORE,
in his official and individual capacity; LUIS POTES, in his
official and individual capacity; ADAM HURLEY, in his
official and individual capacity; ROES 1-5, in their
official and individual capacities; PRINCE WILLIAM COUNTY;
MATTHEW CAPLAN, in his official and individual capacity;
KAREN MUELHAUSER, in her official and individual capacity;
DOES 1-5, in their official and individual capacities,

Defendants - Appellees,

and

DOES 1-6, in their official and individual capacities;
PRINCE WILLIAM COUNTY POLICE DEPARTMENT

Defendants

THE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT, PRINCE
WILLIAM COUNTY

Party-in-Interest.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (1:09-cv-01313-JCC-TRJ)

Submitted: December 17, 2013

Decided: December 19, 2013

Before KING, GREGORY, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Esperanza Guerrero, Appellant Pro Se. Jeffrey Notz, Megan Eileen Kelly, COUNTY ATTORNEY'S OFFICE, Prince William, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Esperanza Guerrero appeals the district court's June 20, 2013 order denying multiple post-judgment motions and its July 17, 2013 order denying her subsequent motion for reconsideration.* On review of the record, we conclude that the district court did not err in denying Guerrero's untimely motion for judgment as a matter of law, Fed. R. Civ. P. 50(b); see also Fed. R. Civ. P. 6(b) ("A court may not extend the time to act under Rule 50(b)"). Further, the district court did not abuse its discretion in denying relief pursuant to either Fed. R. Civ. P. 59(e) or Fed. R. Civ. P. 60(b). See Robinson v. Wix Filtration Corp., 599 F.3d 403, 407 (4th Cir. 2010) (standard of review for Rule 59(e)); MLC Auto., 532 F.3d at 277 (standard of review for Rule 60(b)). Accordingly, although we grant leave to proceed in forma pauperis, we affirm the orders in question. We dispense with oral argument because the facts and legal

* Guerrero's motion for reconsideration, filed within twenty-eight days of the district court order denying multiple post-judgment motions, tolls the time to appeal. Fed. R. App. P. 4(a)(4)(A)(vi). Thus, Guerrero's notice of appeal, filed within thirty days of the denial of her motion for reconsideration, was timely as to both the July 17, 2013 order denying the motion for reconsideration and the June 20, 2013 order. Id.; MLC Auto., LLC v. Town of S. Pines, 532 F.3d 269, 278-79 (4th Cir. 2008).

contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED