

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2448

JOHN B. KIMBLE,

Plaintiff - Appellant,

v.

DEAN WITHERS, CEO; DARLENE SITES; F&M BANK CORP,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Harrisonburg. Michael F. Urbanski,
District Judge. (5:12-cv-00110-MFU)

Submitted: March 27, 2014

Decided: April 10, 2014

Before NIEMEYER and WYNN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

John B. Kimble, Appellant Pro Se. David Alvin Penrod, Grant
David Penrod, HOOVER PENROD PLC, Harrisonburg, Virginia, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John B. Kimble appeals the district court's order adopting the magistrate judge's recommendation to dismiss Kimble's civil action, and its order denying relief under Fed. R. Civ. P. 59(e).^{*} We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Kimble v. Withers, No. 5:12-cv-00110-MFU (W.D. Va. Nov. 21 & Dec. 12, 2013). 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

^{*} Although Kimble did not file a separate notice of appeal from the latter order, we construe his amended informal brief as a notice of appeal from that order. See Smith v. Barry, 502 U.S. 244, 248-49 (1992).