

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1219

KAREN HUSTON; VERLON HUSTON,

Plaintiffs - Appellants,

v.

JOHNSON & JOHNSON; ETHICON, INC.,

Defendants - Appellees.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Joseph R. Goodwin, District Judge. (2:13-cv-01222; 2:12-md-02327)

Submitted: October 28, 2014

Decided: November 10, 2014

Before DUNCAN, KEENAN, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James H. Cook, DUTTON, BRAUN, STAACK & HELLMAN, PLC., Waterloo, Iowa, for Appellants. David B. Thomas, Philip J. Combs, Daniel R. Higginbotham, THOMAS COMBS & SPANN, PLLC, Charleston, West Virginia; Susanna M. Moldoveanu, BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC, Memphis, Tennessee; Christy D. Jones, John C. Henegan, Sr., BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC, Ridgeland, Mississippi, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Karen Huston and Verlon Huston appeal the district court's order dismissing this action without prejudice for failure to comply with PreTrial Order 17. See Fed. R. Civ. P. 16(f)(1)(C), 37(b)(2)(A)(v). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Huston v. Johnson, Nos. 2:13-cv-01222; 2:12-md-02327 (S.D.W. Va. Feb. 10, 2014).* 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

* Three of Huston's claims on appeal were not raised below and are waived. See Flores v. Ethicon, Inc., 563 F. App'x 266, 270 n.8 (4th Cir. 2014). Accordingly, we have not addressed her contentions that: dismissal of the action violates Fed. R. Civ. P. 11 and Multi-District Litigation Rule 10.15; Pretrial Order 17 violates due process; and Pretrial Order 17 conflicts with the Federal Rules of Civil Procedure.