

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6483

KENNETH V. AWE,

Plaintiff - Appellant,

v.

RED ONION STATE PRISON; WARDEN R. MATHENA; ASSISTANT WARDEN
WALRATH; UNIT MANAGER KILBOURNE; LIEUTENANT FANNIN;
LIEUTENANT PAYNE; SERGEANT HILL; SERGEANT STEWART; K-9
OSCAR; L. OAKS,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Jackson L. Kiser, Senior
District Judge. (7:13-cv-00487-JLK-RSB)

Submitted: August 21, 2014

Decided: August 25, 2014

Before SHEDD, AGEE, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kenneth V. Awe, Appellant Pro Se. James Milburn Isaacs, Jr.,
OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth Awe appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) action pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim. On appeal, we confine our review to the issues raised in the informal brief. See 4th Cir. R. 34(b). Because Awe does not challenge the district court's conclusion that his complaint failed to state a cognizable claim, he has forfeited appellate review of this issue. Instead, Awe challenges the district court's refusal to authorize discovery, to order the Virginia Department of Corrections to provide him with photocopying loans, and to review a videotape of the incident giving rise to his excessive force claim. Awe's case was resolved solely by reference to the face of the complaint, and he fails to demonstrate how discovery or photocopies were necessary or why the court was required to review evidence to issue a ruling on the Rule 12(b)(6) motion. We find no reversible error by the district court on these grounds. Accordingly, we affirm the district court's judgment. 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