

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1224

DEANA J. KINDER; ANTHONY K. KINDER,

Plaintiffs - Appellants,

v.

CITY OF MYRTLE BEACH,

Defendant – Appellee,

and

JOHN DOES 1-99,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at
Florence. R. Bryan Harwell, District Judge. (4:15-cv-01416-RBH)

Submitted: October 31, 2017

Decided: November 7, 2017

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

Affirmed in part; dismissed in part by unpublished per curiam opinion.

Thomas J. Intili, INTILI & GROVES CO., L.P.A., Dayton, Ohio, for Appellants.
Michael W. Battle, BATTLE LAW FIRM, LLC, Conway, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Deana J. Kinder and Anthony K. Kinder appeal from the district court's order dismissing their action as barred by the South Carolina statute of limitations. We have reviewed the record provided on appeal and the arguments of the parties, and we find no reversible error. Accordingly, we affirm in part for the reasons stated by the district court. *Kinder v. City of Myrtle Beach*, No. 4:15-cv-01416-RBH (D.S.C. Jan. 19, 2017).

The Kinders also seek to appeal from the order entered by federal district court in Ohio transferring this case to the district court in South Carolina. We are without jurisdiction to consider a transfer order entered by a district court not within our territorial jurisdiction. *See Preston Corp. v. Raese*, 335 F.2d 827, 828 (4th Cir. 1964); *see* 28 U.S.C. § 1294(1) (2012). Accordingly, we dismiss this portion of the appeal. 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 IN PART; DISMISSED IN PART