

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-2007

DANIEL W. FITZGERALD, The United States, ex relatione daniel wayne, Sui Juris,

Plaintiff - Appellant,

v.

VIRGINIA COMMONWEALTH; FRANK BUTTERY, a person; JUSTIN MICHAEL WEINEKE, a person; THOMAS WILLIAM GOW, a person; LAWRENCE D. BLACK, a person; MICHAEL L. CHAPMAN, a person; MAJ. MIKE MANNING, a person; JIM PLOWMAN, a person; JASON GRACE, a person; DEPUTY TB NELSON 3123, a person; DEPUTY M. LOTZ 2799, a person; EDWIN C. ROESSLER, a person; STACEY A. KINCAID, a person; DEAN S. WORCESTER, a person; RICHARD BANKS, a person; GARY CLEMMENS, a person; FERNANDO GALINDA, a person; OFFICER MANZANO 4324, a person; TAMMY HUMMER-DINTERMAN, a person; FAIRFAX COUNTY POLICE OFFICER CHUNG, a person; FAIRFAX COUNTY POLICE OFFICER BAILEY, a person; OFFICER SORTO 4325, a person; DEBORAH C. WELSH, a person; JEANETTE A. IRBY, a person; CLAUDE J. BEHELER, a person; JEFFREY MANGENO, a person,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Anthony John Trenga, District Judge. (1:18-cv-00758-AJT-TCB)

Submitted: December 18, 2018

Decided: December 20, 2018

Before AGEE, THACKER, and HARRIS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Daniel W. Fitzgerald, Appellant Pro Se. Daniel Francis Izzo, LAW OFFICES OF
MARK R. DYCIO, P.C., Fairfax, Virginia, for Appellee Jeffrey Mangeno.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Daniel W. Fitzgerald appeals the district court's order dismissing his complaint for failure to state a claim and as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B) (2012). We have reviewed the record and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for the reasons stated by the district court. *Fitzgerald v. Virginia*, No. 1:18-cv-00758-AJT-TCB (E.D. Va. Aug. 23, 2018). 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.

DISMISSED