

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1272

TATYANA A. BABAKAEVA; OLGA GUSKOVA,

Plaintiffs - Appellants,

v.

PTR INVESTMENTS, INC.; TROY ROBERTSON; PATRICIA ROBERTSON;
658 WATERS DRIVE, LLC; C. JEFFREY MOORE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at
Norfolk. Raymond A. Jackson, Senior District Judge. (2:21-cv-00267-RAJ-LRL)

Submitted: November 17, 2022

Decided: November 22, 2022

Before KING, QUATTLEBAUM, and RUSHING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Tatyana A. Babakaeva and Olga Guskova, Appellants Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tatyana A. Babakaeva and Olga Guskova (“Appellants”) appeal the district court’s order granting Defendants’ Fed. R. Civ. P. 12(b)(6) motions and (a) dismissing with prejudice the federal causes of action asserted in Appellants’ pro se civil action; and (b) declining to exercise supplemental jurisdiction over those claims arising under Virginia law, and dismissing those claims without prejudice. We have reviewed the record de novo and identified no error by the district court. *See Mays v. Sprinkle*, 992 F.3d 295, 299 (4th Cir. 2021) (stating standard of review for a Rule 12(b)(6) dismissal). While Appellants suggest error in the court’s dismissal of their federal claims with prejudice without allowing leave to amend the complaint, the record shows that Appellants’ requests for leave to amend were perfunctory, asserted only in their responses to the Rule 12(b)(6) motions, and without supporting pleadings. Accordingly, we discern no abuse of discretion in this regard. *See Cozzarelli v. Inspire Pharms., Inc.*, 549 F.3d 618, 630-31 (4th Cir. 2008) (finding no abuse of discretion where plaintiffs requested leave to amend in a response but did not file a motion to amend or a proposed amended complaint).

We therefore affirm the district court’s order. *Babakaeva v. PTR Invs., Inc.*, No. 2:21-cv-00267-RAJ-LRL (E.D. Va. Feb. 11, 2022). 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