

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6045

TIMOTHY D. DAVIS,

Plaintiff - Appellant,

v.

CHIA CHAN WANG; GLORIA HARVEY; NC DPS,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Richard E. Myers, II, Chief District Judge. (5:21-ct-03210-M)

Submitted: July 20, 2022

Decided: July 26, 2022

Before THACKER and RUSHING, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Timothy D. Davis, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timothy D. Davis appeals the district court's orders dismissing his 42 U.S.C. § 1983 action for failure to state a claim, pursuant to 28 U.S.C. § 1915A(b)(1), and denying his postjudgment motions.* We have reviewed the record and find no reversible error in the district court's dismissal of Davis' claims against Appellees Wang and Harvey. *See De'lonta v. Johnson*, 708 F.3d 520, 524 (4th Cir. 2013) (stating standard of review for § 1915A(b)(1) dismissal); *Moss v. Harwood*, 19 F.4th 614, 624 (4th Cir. 2021) (defining deliberate indifference); *Fawzy v. Wauquiez Boats SNC*, 873 F.3d 451, 455 (4th Cir. 2017) (discussing effect of amended complaint); *see also Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988) (addressing supplemental jurisdiction); *Jackson v. Lightsey*, 775 F.3d 170, 177 (4th Cir. 2014) (limiting appellate review to issues raised in informal brief). We also conclude that the district court did not abuse its discretion in denying Davis' postjudgment motions. *See Save Our Sound OBX, Inc. v. N.C. Dep't of Transp.*, 914 F.3d 213, 227-28 (4th Cir. 2019) (stating standard of review for denial of motion to amend and discussing futility of proposed amendment); *Adbul-Mumit v. Alexandria Hyundai, LLC*, 896 F.3d 278, 293 (4th Cir. 2018) (discussing postjudgment motion to amend); *Mayfield v. Nat'l Ass'n for Stock Car Auto Racing*, 674 F.3d 369, 378 (4th Cir. 2012) (stating standard of review and requirements for Fed. R. Civ. P. 59(e) relief).

* Although Davis' notice of appeal does not designate the order denying his postjudgment motions, we construe his informal brief as the functional equivalent of a notice of appeal from that order. *See Fed. R. App. P. 4(a)(1)(A), (4)(B)(ii); Smith v. Barry*, 502 U.S. 244, 248-49 (1992); *MLC Auto., LLC v. Town of S. Pines*, 532 F.3d 269, 277 (4th Cir. 2008).

Accordingly, we affirm the district court's orders. *Davis v. Wang*, No. 5:21-ct-93219-M (E.D.N.C. Dec. 13, 2021 & Jan. 7, 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