

225 F.3d 653

Unpublished Disposition

NOTICE: THIS IS AN UNPUBLISHED OPINION.

(The Court's decision is referenced in a "Table of Decisions Without Reported Opinions" appearing in the Federal Reporter. See CTA4 Rule 32.1.

United States Court of Appeals, Fourth Circuit.

Opheila Azriel De'LONTA, Plaintiff-Appellant,

v.

Ronald J. ANGELONE; M.V. Smith, Doctor; R. Hulbert, Doctor; C.J. Angliker, Doctor; Doctor Wray; Doctor Swetter, Defendants-Appellees.

No. 00-6645. | Submitted July 27, 2000. | Decided Aug. 4, 2000.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CA-99-642-7).

Attorneys and Law Firms

Opheila Azriel De'Lonta, pro se.

William W. Muse, Assistant Attorney General, Richmond, VA; George W. Wooten, Peter Duane Vieth, Wooten & Hart, P.C., Roanoke, VA; Heather Marie Kofron, Wright, Robinson, Ostheimer & Tatum, Richmond, VA, for appellees.

Before MURNAGHAN, WILKINS, and KING, Circuit Judges.

Opinion

PER CURIAM

*1 Opheila Azriel De'Lonta appeals from the district court's order denying a temporary restraining order and preliminary injunctive relief. To the extent De'Lonta appeals the denial of a temporary restraining order, no circumstance warrants excepting this case from the general rule that such denials are ordinarily not appealable. *See Virginia v. Tenneco, Inc.*, 538 F.2d 1026, 1029-30 (4th Cir.1976). We therefore dismiss this portion of the appeal. Insofar as De'Lonta appeals the denial of an injunction, we find that the court applied the proper legal standard and did not abuse its discretion. *See Direx Israel, Ltd. v. Breakthrough Medical Corp.*, 952 F.2d 802, 814-15 (4th Cir.1991). Accordingly, we affirm on the reasoning of the district court. *See De'Lonta v. Angelone*, No. CA-99-642-7 (W.D.Va. January 13, 2000). Finally, we deny DeLonta's motion to expedite appeal as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED IN PART; DISMISSED IN PART.

Parallel Citations

2000 WL 1091988 (C.A.4 (Va.))