

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2171

MARIA S. KIRALY,

Plaintiff - Appellant,

v.

AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL
EMPLOYEES LOCAL 2250,

Defendant - Appellee,

and

MARYLAND STATE DEPARTMENT OF EDUCATION; PRINCE GEORGE'S
COUNTY PUBLIC SCHOOLS,

Defendants.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Deborah K. Chasanow, Chief District
Judge. (8:11-cv-02845-DKC)

Submitted: August 29, 2014

Decided: September 4, 2014

Before SHEDD, AGEE, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Charlene Sukari Hardnett, Silver Spring, Maryland, for
Appellant. Mark J. Murphy, Lauren P. McDermott, MOONEY, GREEN,
SAINDON, MURPHY & WELCH, P.C., Washington, D.C., for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Maria S. Kiraly appeals from the district court's order granting Appellee's motion to dismiss, dismissing her complaint under Fed. R. Civ. P. 12(b)(6), and denying her request to file an amended complaint. We have reviewed the briefs on appeal and the record, and we find no reversible error. Accordingly, we affirm for the reasons stated by the district court.* (J.A. at 73-82). 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 addition, we note that, on appeal, Kiraly untimely raises a retaliation claim pursuant to the Labor-Management Recording and Disclosure Act ("LMRDA") which was not raised below. However, even if we considered the LMRDA claim on the merits, this statute is not applicable to state employees. See 29 U.S.C. § 402(e) (2012); Smith v. Office and Professional Employees Int'l Union, 821 F.2d 355, 355-56 (6th Cir. 1987).