

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-2662

JUDITH A. GLEICHAUF; JOSEPH A. GLEICHAUF;
KATRINA GLEICHAUF JEFFERSON,

Plaintiffs - Appellants,

and

ERVIN GIBSON; DIXIE GIBSON, individually and
on behalf of their children; GORDON RENEAU;
ERVIN RENEAU; GARY RENEAU; REBECCA GIBSON;
BRENDA GIBSON; ELLEN FACEMIER, individually
and on behalf of all her infant children;
EUGENE FACEMIER; ROBERT LEE FACEMIER; ZURR E.
DEAL, individually and on behalf of his infant
child; PHYLLIS DEAL; MARGARET STONE, individu-
ally and on behalf of her infant child; KIM
CREW,

Plaintiffs,

versus

LEON GINSBERG, Commissioner, West Virginia
Department of Welfare; GRETCHEN LEWIS, his
successor; LIZ RHODES, SSW II; JOYCE
MCCORMICK, SSW IV, Cabell County Social
Service Department,

Defendants - Appellees,

and

DOROTHY ALLEN, Assistant Commissioner for Social Services; ROSELLA ARCHER, Director of Protective Services for the West Virginia Department of Welfare; JOHN E. BURDETTE, II, Area Administrator, Area 17; SHARON PATERNO, Head of the Division of Protective Services, Kanawha County Office of the West Virginia Department of Welfare; MARK HUDNALL, Social Worker, West Virginia Department of Welfare; PATRICIA H. MOORE, Social Worker working under contract from the West Virginia Department of Welfare; ELMER D. STRICKER, individually and on behalf of all Circuit Judges in the State of West Virginia; RONALD K. BISCHOFF, individually and on behalf of a class of all Prosecuting Attorneys in the State of West Virginia; PAUL GIROD, Area Administrator, Area 19; STEVEN FRAME, Protective Service Supervisor of Nicholas County; KATHY KELLY, Social Worker, West Virginia Department of Welfare; DUANNE DRENNEN; WILLIAM SLEMICK, Kanawha County Deputy Sheriffs,

Defendants.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. John T. Copenhaver, Jr., District Judge. (CA-78-2375)

Submitted: May 27, 1997

Decided: November 4, 1997

Before MURNAGHAN, WILKINS, and NIEMEYER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

J. Benjamin Dick, Charlottesville, Virginia; George D. Beter, Huntington, West Virginia, for Appellants. Jan L. Fox, Kelly R. Reed, STEPTOE & JOHNSON, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellants Joseph A. Gleichauf, Judith A. Gleichauf, and their adult daughter, Katrina Marie Gleichauf Jefferson, petitioned the district court in February 1996 to reopen a class action effectively closed since June 1984, to admit them to the plaintiff class, and to grant them other injunctive and monetary relief. The district court dismissed Appellants' petition originally and on a motion for rehearing. We have reviewed the parties' briefs, the joint appendix, and the decisions of the district court and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Gibson v. Ginsberg, No. 78-2375 (S.D.W. Va. Oct. 8, 1996) (denying motion for rehearing); Gibson v. Ginsberg, No. 78-2375 (S.D.W. Va. Aug. 2, 1996) (denying motion to reopen; granting motion to dismiss). 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