

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1341

COLUMBIA GAS TRANSMISSION, LLC,

Plaintiff - Appellee,

v.

KLINE DEVELOPMENT GROUP, LLC; KENISHCA WALIZADA,

Defendants - Appellants.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Patricia T. Giles, District Judge. (1:22-cv-00225-PTG-TCB)

Submitted: October 25, 2022

Decided: November 22, 2022

Before RUSHING and HEYTENS, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: James P. Campbell, Matthew L. Clark, CAMPBELL FLANNERY, P.C., Leesburg, Virginia, for Appellants. Richard D. Holzheimer, Kang He, Tysons, Virginia, Brian D. Schmalzbach, MCGUIREWOODS LLP, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kline Development Group, LLC, and Kenishca Walizada appeal the district court’s order granting Columbia Gas Transmission, LLC’s (“Columbia”) motion for a preliminary injunction. We review the district court’s decision to grant injunctive relief for an abuse of discretion. *Roe v. Dep’t of Def.*, 947 F.3d 207, 219 (4th Cir. 2020). If the district court “applied a correct preliminary injunction standard, made no clearly erroneous findings of material fact, and demonstrated a firm grasp of the legal principles pertinent to the underlying dispute,” no abuse of discretion occurred. *Centro Tepeyac v. Montgomery Cnty.*, 722 F.3d 184, 192 (4th Cir. 2013) (en banc). “A plaintiff seeking a preliminary injunction must establish that [it] is likely to succeed on the merits, that [it] is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in [its] favor, and that an injunction is in the public interest.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). “A preliminary injunction is an extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Roe*, 947 F.3d at 219 (internal quotation marks omitted).

We have carefully reviewed the parties’ briefs and the joint appendix and find no reversible error.* We conclude that the district court did not abuse its discretion in finding that Columbia demonstrated a likelihood of irreparable injury in the absence of injunctive relief. Accordingly, we affirm the district court’s order. *Columbia Gas Transmission, LLC*

* We limit our review to the issues raised in Appellants’ opening brief. *See United States v. Cohen*, 888 F.3d 667, 685 (4th Cir. 2018) (explaining that appellant forfeits review of “an issue not presented fairly in an appellant’s opening appellate brief”).

v. Kline Dev. Grp., LLC, No. 1:22-cv-00225-PTG-TCB (E.D. Va. Mar. 18, 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