

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1602

JOHN P. DAROUSE, JR.,

Plaintiff - Appellant,

v.

HERBERT C. GILL, individual and official capacity; A. CONRAD BAREFORD,
III; CHARLES R. CARRITHERS; DEBRA MAYO; JPCR, LLC; MARK R.
HERRING, Attorney General,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at
Newport News. Raymond A. Jackson, Senior District Judge. (4:21-cv-00094-RAJ-RJK)

Submitted: January 21, 2025

Decided: March 3, 2025

Before NIEMEYER and HARRIS, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

John P. Darouse, Jr., Appellant Pro Se. Brittany McGill Dozier, DEFENSE
COMMISSARY AGENCY, Fort Gregg-Adams, Virginia, for Appellees Gill and Herring.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John P. Darouse, Jr., appeals the district court's orders dismissing his civil complaint and denying reconsideration. He argues that the court erred by (1) finding that the doctrine of judicial immunity barred his claims against a Virginia circuit court judge, and (2) denying his motion for a preliminary injunction as moot after dismissing the complaint and without a hearing or notice. We have reviewed the record and find no reversible error. Because Darouse's claims were premised upon actions that the judge took in his function as a judicial officer and that were within his subject matter jurisdiction, the district court correctly dismissed those claims as barred by judicial immunity. *See Gibson v. Goldston*, 85 F.4th 218, 223 (4th Cir. 2023) (discussing judicial immunity). And because Darouse's motion for a preliminary injunction sought an attorney's disqualification from representing parties to the action, the district court did not abuse its discretion by determining that the dismissal of the action rendered Darouse's motion moot. *See Di Biase v. SPX Corp.*, 872 F.3d 224, 229-30 (4th Cir. 2017) (noting standard of review); *Knox v. Serv. Emps. Int'l Union, Local 1000*, 567 U.S. 298, 307 (2012) (discussing mootness). Accordingly, we deny Darouse's motion for judicial notice, and we affirm the district court's orders. *Darouse v. Gill*, No. 4:21-cv-00094-RAJ-RJK (E.D. Va. Aug. 30, 2022; May 23, 2023). 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