

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2030

DORA L. ADKINS,

Plaintiff - Appellant,

v.

JP MORGAN CHASE BANK, N.A.,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Alexandria. Patricia Tolliver Giles, District Judge. (1:24-cv-00894-PTG-WBP)

Submitted: December 19, 2024

Decided: December 23, 2024

Before KING and BERNER, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Dora L. Adkins, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Dora L. Adkins appeals the district court’s order denying her motions for leave to file a proposed emergency complaint and a proposed amended emergency complaint, denying her application to proceed in forma pauperis, and closing the case pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), which requires a district court to dismiss those civil actions filed in forma pauperis that fail to state a claim on which relief may be granted. The dismissal of a claim for failure to state a claim on which relief may be granted is reviewed de novo. *Slade v. Hampton Rds. Reg’l Jail*, 407 F.3d 243, 248 (4th Cir. 2005). Although a pro se litigant’s pleadings are to be construed liberally, *Erickson v. Pardus*, 551 U.S. 89, 94 (2007), her complaint “must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570, (2007)). Those “[f]actual allegations must be enough to raise a right to relief above the speculative level.” *Twombly*, 550 U.S. at 555; see *Francis v. Giacomelli*, 588 F.3d 186, 193 (4th Cir. 2009) (noting that “plausibility standard requires a plaintiff to demonstrate more than a sheer possibility that a defendant has acted unlawfully” (internal quotation marks omitted)).

Adkins’ proposed complaints fail to state plausible claims under Virginia law against Defendant for intentional infliction of emotional distress. See *Viers v. Baker*, 841 S.E.2d 857, 863 (Va. 2020); *Jordan v. Shands*, 500 S.E.2d 215, 218-19 (Va. 1998). Accordingly, we deny Adkins’ motions to expedite review and seal decision and affirm the district court’s order. *Adkins v. JP Morgan Chase Bank, N.A.*, No. 1:24-cv-00894-PTG-WBP (E.D. Va. Oct. 10, 2024). 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