FILED
United States Court of Appeals
Tenth Circuit

May 16, 2017

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES COURT OF APPEALS

TENTH CIRCUIT

VIOLA ADKINS,

Plaintiff - Appellant,

v.

VINAYA KODURI,

Defendant - Appellee.

No. 16-3353
(D.C. No. 5:16-CV-04134-DDC)
D. Kansas

ORDER AND JUDGMENT[*]

Before **KELLY**, **MURPHY**, and **MATHESON**, Circuit Judges.

After examining Appellant's brief and the appellate record, this court has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument.

Proceeding *pro se* and *in forma pauperis*, Viola Adkins appeals the district court's dismissal of the claims she brought against Vinaya Koduri, a physician

[*]This order and judgment is not binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

who, like Adkins, is a citizen of the state of Kansas. In her complaint, Adkins alleged Dr. Koduri lied to her about a cyst and refused to treat her. Concluding it lacked subject matter jurisdiction over Adkins's claims, the district court dismissed the complaint. It denied Adkins's subsequent motion for reconsideration. We have jurisdiction over Adkins's appeal pursuant to 28 U.S.C. § 1291.

Upon *de novo* review of Adkins's complaint, the magistrate judge's report and recommendation, the district court's orders, and the entire record on appeal, this court concludes there was no error in the district court's disposition of Adkins's claims and the dismissal of her complaint is **affirmed**.

ENTERED FOR THE COURT

Michael R. Murphy
Circuit Judge