

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

**No. 19-1208**

SUSAN E. PATTISHALL,

Plaintiff - Appellant,

v.

VINTON G. CERF, computer scientist (retired); ROBERT E. KAHN, computer  
scientist (retired),

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at  
Alexandria. Liam O' Grady, District Judge. (1:18-cv-01396-LO-MSN)

Submitted: April 25, 2019

Decided: April 30, 2019

Before FLOYD and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior Circuit  
Judge.

Affirmed by unpublished per curiam opinion.

Susan E. Pattishall, Appellant Pro Se. James Paul Menzies Miller, ODIN, FELDMAN &  
PITTLEMAN, PC, Reston, Virginia; Jonathan Michael Baker, CROWELL & MORING  
LLP, Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PERCURIAM:

Susan E. Pattishall appeals the district court's order dismissing her conversion action as barred by the statute of limitations. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Pattishall v. Cerf*, No. 1:18-cv-01396-LO-MSN (E.D. Va. filed Feb. 22, 2019 & entered Feb. 25, 2019). 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*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

SUSAN E. PATTISHALL,

*Plaintiff;*

v.

VINTON G. CERF ET AL.,

*Defendants.*

Civil No. 1:18-cv-1396  
Hon. Liam O'Grady

**ORDER**


This matter comes before the Court on Defendant Cerf's Motion to Dismiss, Dkt. 9; and Defendant Kahn's Motion to Dismiss, Dkt. 11. Plaintiff has alleged that in 1980 Defendants stole a manuscript she had written. In Virginia, the statute of limitations for conversion is five years

and the cause of action accrues at the time of injury, not the time of discovery. *McPike v. Zero-Gravity Holdings, Inc.*, 280 F. Supp. 3d 800, 809 (E.D. Va, 2017). Plaintiff's claim is therefore barred by the statute of limitations.

Defendant Cerf's Motion to Dismiss, Dkt. 9, and Defendant Kahn's Motion to Dismiss, Dkt. 11 are GRANTED. The matter is DISMISSED WITH PREJUDICE. Pursuant to Federal Rule of Appellate Procedure 4(a), if Plaintiff wishes to appeal this Order she must file a notice of appeal within thirty days of the date of this Order.

It is SO ORDERED.

February 22, 2019  
Alexandria, Virginia

  
Liam O'Grady  
United States District Judge,