

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-2586

TOMMY RAY COMBS,

Plaintiff - Appellant,

versus

ASHE COUNTY HEALTH DEPARTMENT, a group of defendants consisting of Ashe County Health Department; MARY ELIZABETH SMITH, M.D., former director; CARL TUTTLE, present director; DANIEL STALEY; WANDA ELLIOTT, Nurses' Supervisor; JAMES B. HUNT, JR., Governor; CHARLES D. REED, State Pharmacist; H. DAVID BRUTON, M.D., Secretary of Department of Health and Human Services of North Carolina; BETTY CHISLEY, Department of Civil Rights Office of DHHS, Washington, D.C.; MARIE CHRETIEN, Department of Civil Rights Office of DHHS, Washington, D.C.; RICHARD BURR, Congressman; KATY B MANSHIP, Aid; JOHN MARSH, Ashe County Commissioners; LEE MCMILLAN, Ashe County Commissioner; LARRY RHODES, Ashe County Commissioner; DWIGHT SHEPHERD, Ashe County Commissioner; RICHARD CALHOUN, Ashe County Commissioner; LEGAL SERVICES OF THE BLUE RIDGE; LAURA DAVIS, Attorney,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (CA-00-100-5-V)

Submitted: March 22, 2001

Decided: March 27, 2001

Before WILKINS, LUTTIG, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Tommy Ray Combs, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Tommy Ray Combs appeals the district court's order dismissing his civil action as frivolous, for failure to state a claim, and as barred by res judicata. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation to dismiss the complaint and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Combs v. Ashe County Health Dep't, No. CA-00-100-5-V (W.D.N.C. Nov. 13, 2000). We further deny Comb's motion for the appointment of counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED