

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6530

CHARLES BENNIE HUNT,

Plaintiff - Appellant,

versus

JOEL GARTH LOCKLEAR,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-98-561-5-CT-H)

Submitted: July 27, 2000

Decided: August 4, 2000

Before MURNAGHAN, WILKINS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Charles Bennie Hunt, Appellant Pro Se. Mark Allen Davis, WOMBLE, CARLYLE, SANDRIDGE & RICE, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles Bennie Hunt appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Although the district court addressed Hunt's claims on the merits, we find that the action was barred by North Carolina's three-year statute of limitations. See Wilson v. Garcia, 471 U.S. 261, 276-80 (1985) (holding that in § 1983 actions, state statute of limitations for personal injury applies); Brooks v. City of Winston-Salem, 85 F.3d 178, 181 (4th Cir. 1996) (noting that three-year period for personal injury actions set forth in N.C. Gen. Stat. § 1-52(5) (Supp. 1998), is limitations period applicable to § 1983 actions). In any event, the district court properly denied relief on the merits. Accordingly, we affirm. We deny the motion to strike Hunt's reply brief and 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