

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-1803

FRANCELLA ABRAMS,

Plaintiff - Appellant,

versus

CITY OF RICHMOND,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, District Judge. (CA-00-806)

Submitted: November 29, 2001

Decided: December 5, 2001

Before WIDENER, NIEMEYER, and WILLIAMS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Francella Abrams, Appellant Pro Se. Keith Allen May, CITY ATTORNEY'S OFFICE, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Francella Abrams appeals the district court's order dismissing her civil action for the reasons stated from the bench. The record does not contain a transcript of the hearing in which the court stated its reasons for dismissing the action. Abrams has the burden of including in the record on appeal a transcript of all parts of the proceedings material to the issues raised on appeal. Fed. R. App. P. 10(b); 4th Cir. Local R. 10(c). Appellants proceeding on appeal in forma pauperis are entitled to transcripts at government expense only in certain circumstances. 28 U.S.C. § 753(f) (1994). By failing to produce a transcript or to qualify for the production of a transcript at government expense, Abrams has waived review of the issues on appeal which depend upon the transcript to show error. See Powell v. Estelle, 959 F.2d 22, 26 (5th Cir. 1992); Keller v. Prince George's Co., 827 F.2d 952, 954 n.1 (4th Cir. 1987). Accordingly, we therefore affirm the district court's order accepting the recommendation of the magistrate judge. We deny Abrams' motion to expedite 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