

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-2064**

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JOHN RUSSELL WIMBERLEY, JR.,

Plaintiff - Appellant,

versus

CITY OF WILSON, NORTH CAROLINA; CITY OF WILSON INSPECTION DEPARTMENT; STEVE ROGERS, individual and is an inspector in the Wilson City Inspection Department; MIA SMITH, Individual and is an Inspector in the Wilson City Inspection Department; JEFF WINSTEAD, Individual and is an Inspector in the Wilson City Inspection Department; KEITH O'BRIEN, Individual and is an Inspector in the Wilson City Inspection Department; JIM HOLLOMAN, Individual and is an Inspection Manager in the Wilson City Inspection Department; WINNIE WILLIAMS, Individual and is the Chief of the Wilson City Police Department; CITY OF WILSON CITY COUNCIL,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, Chief District Judge. (CA-01-451-5-BO(2))

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Submitted: January 31, 2002

Decided: February 6, 2002

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Before NIEMEYER, WILLIAMS, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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John Russell Wimberley, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John Russell Wimberley, Jr., appeals the district court's order dismissing as frivolous his 42 U.S.C.A. § 1983 (West Supp. 2001) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm the denial of relief on the federal claims on the reasoning of the district court. Wimberley v. City of Wilson, No. CA-01-451-5-BO(2) (E.D.N.C. Aug. 17, 2001). Because the district court properly denied Wimberley's federal claims, we find that the court properly declined to exercise jurisdiction over his pendent state law claims. Davis v. Pak, 856 F.2d 648, 650-52 (4th Cir. 1988). 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