

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-6109**

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HARKLESS A. FOSSIE,

Plaintiff - Appellant,

versus

JERRY G. MONETTE; HORACE GADDY; CRAVEN COUNTY  
CONFINEMENT FACILITY,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of North Carolina, at Raleigh. W. Earl Britt, Senior District  
Judge. (CA-00-738-5-2-BR)

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Submitted: July 26, 2001

Decided: July 31, 2001

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Before WILKINS, LUTTIG, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Harkless A. Fossie, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Harkless A. Fossie, a North Carolina inmate, appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint under 28 U.S.C.A. § 1915A (West Supp. 2000). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we dismiss the appeal on the reasoning of the district court. See Fossie v. Monette, No. CA-00-738-5-2-BR (E.D.N.C. Nov. 14, 2000). Further, we deny Fossie's motion for appointment of counsel, his motion for assistance in payment of filing fees, 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.

DISMISSED