

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-8069

CHARLTON E. NEWTON,

Plaintiff - Appellant,

versus

GEORGE H. ERWIN, JR., Sheriff of Henderson
County; EDDIE PRUETT, Captain of Henderson
County Jail; PAT SUMMEY, Lieutenant in charge
of Henderson County Jail,

Defendants - Appellees,

and

HENDERSON COUNTY JAIL,

Defendant.

Appeal from the United States District Court for the Western
District of North Carolina, at Asheville. Graham C. Mullen, Chief
District Judge. (CA-01-47-01-MU)

Submitted: February 21, 2002

Decided: March 6, 2002

Before WILKINS, MOTZ, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Charlton E. Newton, Appellant Pro Se. Scott Douglas MacLatchie, WOMBLE, CARLYLE, SANDRIDGE & RICE, Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charlton E. Newton appeals the district court's order denying relief on 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 on the reasoning of the district court. See Newton v. Erwin, No. CA-01-47-01-MU (W.D.N.C. Nov. 13, 2001). We further deny Newton'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