

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-2141**

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JOHN RUSSELL WIMBERLEY, JR.,

Plaintiff - Appellant,

versus

STEVEN T. ROGERS, in his official capacity as  
inspector for Wilson, NC; MIA SMITH, in her  
official capacity as inspector for Wilson, NC;  
BURT GARRIS, in his official capacity of the  
Wilson Police Department; JOHN DOE,  
individually and in his lawful capacity as  
locksmith at M&W Locksmith in Wilson, NC,

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-02-390-5-BO)

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Submitted: June 6, 2003

Decided: June 18, 2003

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Before LUTTIG, MICHAEL, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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John Russell Wimberley, Jr., Appellant Pro Se. James Percy Cauley,  
III, Tom Slade Rand, Jr., ROSE, RAND, ORCUTT, CAULEY & BLAKE, P.A.,  
Wilson, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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 without prejudice his civil action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Wimberley v. Rogers, No. CA-02-390-5-BO (E.D.N.C. Sept. 11, 2002). Wimberley's motions to deny the Defendants' brief and for injunctive relief are denied. 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