

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6248

EDDIE HATCHER,

Plaintiff - Appellant,

versus

SID HARKLEROAD; BOYD BENNETT; THEODIS BECK;
CORRECTIONAL OFFICER MORGAN,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Asheville. Graham C. Mullen, Chief
District Judge. (CA-02-265-MU-2)

Submitted: May 15, 2003

Decided: May 22, 2003

Before LUTTIG and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Eddie Hatcher, Appellant Pro Se. Deborrah Lynn Newton, Assistant
Attorney General, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA,
Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eddie Hatcher noted his appeal from the district court's order overruling his objections to removal of this action from state court and denying relief on his 42 U.S.C. § 1983 (2000) complaint. In his informal brief, however, Hatcher challenges only a separate order awarding costs to Defendants. He has therefore waived our review of any issue as to the propriety of the removal and the dismissal of his action. See Local Rule 34(b).

Hatcher's informal brief challenging the costs award was filed within thirty days of entry of the district court's order awarding costs; it is therefore deemed a timely notice of appeal from that order. See Smith v. Barry, 502 U.S. 244, 248-49 (1992). We have reviewed the record and find no abuse of discretion by the district court in awarding costs. See Oak Hall Cap & Gown Co. v. Old Dominion Freight Line, Inc., 899 F.2d 291, 296 (4th Cir. 1990) (providing standard). Accordingly, we affirm for the reasons stated by the district court. See Hatcher v. Harkleroad, No. CA-02-265-MU-2 (W.D.N.C. filed Feb. 13, 2003; entered Feb. 18, 2003). 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