

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-2053**

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MICHAEL BAILEY,

Plaintiff - Appellant,

and

JANE BAILEY; BILLY BAILEY,

Plaintiffs,

versus

D. H. KENNEDY; D. B. WHITLEY; MIKE CRISP; CITY  
OF HICKORY,

Defendants - Appellees.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Statesville. Carl Horn, III,  
Magistrate Judge. (CA-00-8-5-H)

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Submitted: December 30, 2004

Decided: February 4, 2005

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Before WILLIAMS and TRAXLER, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Michael Bailey, Appellant Pro Se. James Redfern Morgan, Jr.,  
Robert Danny Mason, Jr., WOMBLE, CARLYLE, SANDRIDGE & RICE,

P.L.L.C., Winston-Salem, North Carolina; Larry Wayne Johnson, CITY OF HICKORY, Hickory, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael Bailey appeals the district court's orders ruling on various motions for summary judgment, entering judgment for defendants in accordance with a jury verdict, and denying his motion for a new trial. Having reviewed the record and the issues raised on appeal, we find that the appeal is without merit and affirm. See Bailey v. Kennedy, No. CA-00-8-5-H (W.D.N.C. June 10, 2002; May 11, 2004; July 16, 2004). We grant the motions to file amended briefs. The motions for oral argument, to strike the memorandum and order, for preparation of a transcript at government expense, to depose Teresa Huffman, to strike a blood alcohol test, and to stay the case 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