

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2108

JOHN E. ELKINS,

Plaintiff - Appellant,

versus

J. A. BROOME, in his individual and official
capacities, as a police officer for the City
of Winston-Salem,

Defendant - Appellee.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. Frank W. Bullock, Jr.,
District Judge. (CA-02-305-1)

Submitted: January 21, 2005

Decided: February 16, 2005

Before WILKINSON, TRAXLER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John E. Elkins, Appellant Pro Se. Gusti Wiesenfeld Frankel,
WOMBLE, CARLYLE, SANDRIDGE & RICE, P.L.L.C., Winston-Salem, North
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John E. Elkins appeals the district court's order granting summary judgment in favor of the defendant arresting police officer in his 42 U.S.C. § 1983 (2000) action in which he alleged violations of the First and Fourth Amendments in relation to his arrest. He also appeals magistrate judge orders that sanctioned him under Fed. R. Civ. P. 37(a)(4) for his refusal to answer questions during two scheduled depositions. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court and magistrate judge. See Elkins v. Broome, No. CA-02-305-1 (M.D.N.C. Jan. 12, 2004; June 24, 2004; and July 26, 2004). 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