

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1132

KENNETH RAY PRUITT,

Plaintiff - Appellee,

versus

BILLY PERNELL, Sharpsburg Police Chief; TOWN
OF SHARPSBURG, NC; M. L. FELLNER, Officer;
JOEL BATCHELOR, Officer,

Defendants - Appellants,

and

GEORGE BOTTOMS, Officer,

Defendant.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Terrence W. Boyle,
District Judge. (CA-02-270-5-BO)

Submitted: February 28, 2006

Decided: April 3, 2006

Before MICHAEL, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Scott Christopher Hart, SUMRELL, SUGG, CARMICHAEL, HICKS & HART,
P.A., New Bern, North Carolina, for Appellants. Kenneth Ray
Pruitt, Appellee Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellants appeal the district court's order denying qualified immunity in this 42 U.S.C. § 1983 (2000) action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Pruitt v. Pernel, No. CA-02-270-5-BO (E.D.N.C. Jan. 5, 2005). 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