

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6494

JEROME ANTHONY HOWARD,

Plaintiff - Appellant,

versus

MR. SMITH, Physician/WRSP; S. K. YOUNG,
Warden/WRSP,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, Senior District
Judge. (CA-03-144-7)

Submitted: August 29, 2005

Decided: November 8, 2005

Before NIEMEYER, MOTZ, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Jerome Anthony Howard, Appellant Pro Se. Mark Edward Frye, PENN
STUART & ESKRIDGE, Bristol, Tennessee; Mark Ralph Davis, OFFICE OF
THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jerome Anthony Howard appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Howard v. Smith, No. CA-03-144-7 (W.D. Va. filed Mar. 23, 2005 & entered Mar. 24, 2005). We further deny Howard's motion for the appointment of counsel. 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