

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-1161

MANUEL HELMBRIGHT,

Plaintiff - Appellant,

versus

BONNIE DAVIS, in her private and official
capacity; CHIEF K. GESSLER, in his official
capacity; OFFICER WALLACE, in his official
capacity; UNKNOWN DESK OFFICER, in his
official capacity,

Defendants - Appellees.

No. 06-1595

MANUEL HELMBRIGHT,

Plaintiff - Appellant,

versus

BONNIE DAVIS, in her private and official
capacity; CHIEF K. GESSLER, in his official
capacity; OFFICER WALLACE, in his official
capacity; UNKNOWN DESK OFFICER, in his
official capacity,

Defendants - Appellees.

Appeals from the United States District Court for the Northern District of West Virginia, at Wheeling. Frederick P. Stamp, Jr., District Judge. (5:04-cv-00069-FPS)

Submitted: September 26, 2006

Decided: September 28, 2006

Before WIDENER and WILKINSON, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Manuel Helmbright, Appellant Pro Se. Paul C. Camilletti, CAMILETTI, SACCO & PIZZUTI, Wheeling, West Virginia; Melanie Morgan Norris, Jacob Andrew Manning, STEPTOE & JOHNSON, Wheeling, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Manuel Helmbright appeals the district court's orders granting defendant police officers' motion to dismiss under Fed. R. Civ. P. 12(b)(6) and vacating its pre-trial conference and trial schedule in his 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. Helmbright v. Davis, No. 5:04-cv-00069-FPS (N.D.W. Va. Jan. 20, 2006; Mar. 23, 2006. 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