

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-1497**

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DONALD SULLIVAN,

Plaintiff - Appellant,

versus

CARSON SMITH, individually and in his capacity as Sheriff of Pender County, North Carolina; MAJOR KEITH D. HINKLE; CAPTAIN MARK SLOAN, individually and in their capacities as officers of the Sheriff's Department of Pender County, North Carolina; DEPUTY E. S. WYRICK, JR.; DEPUTY REED; DEPUTY GONZALES; JOE DOE, I; JOHN DOE, II; JOHN DOE III; JANE DOE, individually and in their capacities as deputies in the Sheriff's Department of Pender County, North Carolina; COUNTY OF PENDER; MAGISTRATE DELORES R. HELMS, individually and in her capacity as an officer of the court for the Fifth Judicial District of North Carolina,

Defendants - Appellees,

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Appeal from the United States District Court for the Eastern District of North Carolina, at New Bern. Louise W. Flanagan, Chief District Judge. (7:04-cv-00026-FL)

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Submitted: December 21, 2006

Decided: December 28, 2006

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Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Donald Sullivan, Appellant Pro Se. James Redfern Morgan, Jr.,  
WOMBLE, CARLYLE, SANDRIDGE & RICE, PLLC, Winston-Salem, North  
Carolina; David J. Adinolfi, II, Assistant Attorney General,  
Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Donald Sullivan 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. Sullivan v. Smith, No. 7:04-cv-00026-FL (E.D.N.C. Mar. 28, 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