

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 09-7432**

---

ALBERT JOHNSON, III,

Plaintiff - Appellant,

v.

JAMES PENDERGRAPH, Sheriff,

Defendant - Appellee.

---

Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Graham C. Mullen,  
Senior District Judge. (3:09-cv-00305-GCM)

---

Submitted: October 20, 2009

Decided: October 27, 2009

---

Before TRAXLER, Chief Judge, NIEMEYER, Circuit Judge, and  
HAMILTON, Senior Circuit Judge.

---

Affirmed by unpublished per curiam opinion.

---

Albert Johnson, III, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Albert Johnson, III, appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint under 28 U.S.C. § 1915A(b) (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Johnson v. Pendergraph, No. 3:09-cv-00305-GCM (W.D.N.C. July 27, 2009). 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