

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2255

GREG GIVENS,

Plaintiff - Appellant,

v.

MAIN STREET FINANCIAL SERVICES CORPORATION, Holding company
for Main Street Bank; REBECCA RANDOLPH; RICHARD LUCAS;
WILLIAM CRISWELL; KEVIN GESSLER; KEITH C. GAMBLE; PULLIN,
FOWLER, FLANAGAN, BROWN & POE, PLLC; CITY OF WHEELING, West
Virginia, individually and collectively,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp,
Jr., Senior District Judge. (5:10-cv-00027-FPS-JSK)

Submitted: May 19, 2011

Decided: May 23, 2011

Before TRAXLER, Chief Judge, and KEENAN, Circuit Judge.*

Dismissed in part, affirmed in part by unpublished per curiam
opinion.

Greg Givens, Appellant Pro Se. Keith C. Gamble, PULLIN, FOWLER,
FLANAGAN, BROWN & POE, PLLC, Morgantown, West Virginia;

* This opinion is filed by a quorum of the panel pursuant to
28 U.S.C. § 46(d).

Nathaniel Adam Kuratomi, JENKINS FENSTERMAKER, PLLC, Huntington, West Virginia; Stephen Mark Fowler, PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Greg Givens appeals from the district court's order remanding his complaint to state court, vacating a previous sanctions order against Givens, and denying Givens' motions for sanctions and appointment of counsel. Givens' appellate claims regarding the sanctions order against him and his request for appointment of counsel are moot, given that the sanctions order was vacated and the case remanded at Givens' request. Accordingly, we dismiss this portion of the appeal.

Turning to Givens' appeal from the denial of his motion for sanctions against Defendants, we have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Givens v. Main Street Fin. Servs., No. 5:10-cv-00027-FPS-JSK (N.D.W. Va. Oct. 28, 2010). We deny Givens' motion to strike Appellees' brief. 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.

DISMISSED IN PART;
AFFIRMED IN PART