

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6773

WILLIAM HENCLEY DAVIS, JR.,

Plaintiff - Appellant,

v.

TOMMY CASTELLOE; WALLACE W. DIXON; SANDRA WALLACE-SMITH;
RODNEY WILLIAMS; STAFF ATTORNEY,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. James C. Dever, III,
Chief District Judge. (5:10-ct-03102-D)

Submitted: November 10, 2011

Decided: February 2, 2012

Before NIEMEYER, KING, and DAVIS, Circuit Judges.

Affirmed in part, vacated in part, and remanded by unpublished
per curiam opinion.

William Hencley Davis, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Hencley Davis, Jr., appeals the district court's order dismissing as frivolous, pursuant to 28 U.S.C. § 1915A (2006), Davis' 42 U.S.C. § 1983 (2006) complaint. Turning first to Davis' claim that he was deprived of the freedom to practice his religion, we conclude that Davis' complaint was adequate to survive a § 1915A frivolity review. We therefore vacate the portion of the district court's order regarding this claim and remand for further proceedings.

We have reviewed the record and find no reversible error with regard to the dismissal of the remainder of Davis' claims. Accordingly, we affirm the denial of relief on the rest of Davis' claims for the reasons stated by the district court. Davis v. Castelloe, No. 5:10-ct-03102-D (E.D.N.C. Apr. 15, 2011). We deny Davis' requests for subpoenas and 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 IN PART,
VACATED IN PART,
AND REMANDED