

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 13-6593**

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JOHN DWAYNE GARVIN,

Plaintiff - Appellant,

v.

SPARTANBURG COUNTY; JAMES E. HUNTER, 7th Circuit Solicitor's Office; SCOTT D. ROBINSON, Attorney, Scott D Robinson Law Firm LLC; MAJOR NEAL URCH, Director of Jail Operation, Spartanburg County Detention Center; CHUCK WRIGHT, Warden of Jail, Spartanburg County Detention,

Defendants - Appellees.

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Appeal from the United States District Court for the District of South Carolina, at Spartanburg. David C. Norton, District Judge. (7:13-cv-00454-DCN)

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Submitted: August 22, 2013

Decided: August 26, 2013

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Before MOTZ, DIAZ, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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John Dwayne Garvin, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Dwayne Garvin appeals the district court's order accepting the recommendation of the magistrate judge and denying relief without prejudice on his 42 U.S.C. § 1983 (2006) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.\* Garvin v. Spartanburg Cnty., No. 7:13-cv-00454-DCN (D.S.C. filed Apr. 5 & entered Apr. 9, 2013). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

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\* Garvin also challenges the district court's post-judgment order denying as moot his motions requesting a bond hearing and for appointment of counsel. Garvin argues that he intended the bond hearing motion to be docketed in his 28 U.S.C.A. § 2241 (West 2006 & Supp. 2013) action, Garvin v. Wright, No. 2:13-cv-00442-DCN-BHH (D.S.C.), rather than in this § 1983 case. In fact, the motion was docketed separately in each case and is still pending before the district court in Garvin's § 2241 proceeding. To the extent that Garvin intended his motion for appointment of counsel to be filed in his § 1983 action, the district court properly denied the motion.