

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-2691**

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CHARLES WILLIAM LEVY,

Plaintiff - Appellant,

versus

COUNTY OF FAIRFAX; ELIZABETH BUTLER, Branch  
Manager, George Mason Regional Library,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Alexandria. Robert E. Payne, District Judge.  
(CA-96-422-A)

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Submitted: March 27, 1997

Decided: April 2, 1997

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Before RUSSELL, LUTTIG, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Charles William Levy, Appellant Pro Se. Edward Everett Rose, III,  
COUNTY ATTORNEY'S OFFICE, Fairfax, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order granting the Defendants' motion for judgment as a matter of law on his action filed under 42 U.S.C. § 1983 (1994). The district court denied relief for the reasons stated from the bench. Appellant failed to provide a transcript of the hearing at which the district court stated the reasons for denying relief. See Fed. R. App. P. 10(b)(2); Powell v. Estelle, 959 F.2d 22, 26 (5th Cir. 1992). Moreover, Appellant has failed to state a substantial claim justifying the preparation of a transcript at government expense. 28 U.S.C. § 753(f) (1994). Consequently, we affirm. 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