

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6291

EPHRAIN RELIFORD, JR.,

Plaintiff - Appellant,

versus

CHARLIE TRUESDALE, in his individual and
official capacity,

Defendant - Appellee.

Appeal from the United States District Court for the District of
South Carolina, at Columbia. Joseph F. Anderson, Jr., District
Judge. (CA-95-3665-3-17BC)

Submitted: August 15, 1996

Decided: August 20, 1996

Before MURNAGHAN and ERVIN, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Ephrain Reliford, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the district court's order denying relief on his 42 U.S.C. § 1983 (1988) complaint. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation and find no reversible error. Accordingly, because Appellant alleges only malicious prosecution which is not cognizable until the criminal proceedings against Appellant are terminated in his favor, we affirm on the reasoning of the district court. Reliford v. Truesdale, No. CA-95-3665-3-17BC (D.S.C. Jan. 18, 1996). See also Brooks v. City of Winston-Salem, 85 F.3d 178, 183 (4th Cir. 1996). 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