

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7530

WILLIE S. MERRIWEATHER,

Plaintiff - Appellant,

versus

JOHNSTON POLICE DEPARTMENT,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Patrick Michael Duffy, District Judge. (CA-97-2037-6-23AK)

Submitted: March 11, 1999

Decided: March 17, 1999

Before WIDENER and LUTTIG, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Willie S. Merriweather, Appellant Pro Se. Amy Patterson Shumpert, HENDERSON & SALLEY, Aiken, South Carolina; Gary Hudson Smith, III, BRAITHWAITE, MCCANTS & SMITH, Aiken, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Willie S. Merriweather appeals the district court's order granting Appellee's motion for summary judgment and denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1998) complaint. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Merriweather v. Johnston Police Dep't, No. CA-97-2037-6-23AK (D.S.C. Sept. 18, 1998). 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