

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7659**

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ELDON GUY BELL,

Plaintiff - Appellant,

versus

RALPH THOMAS, Sheriff; BARRY JOHNSON, Jailer;  
FRANK GALIZIA, Investigator; BOYCE FLOYD,  
Investigator,

Defendants - Appellees,

and

DAVID LEOMANS, County Commissioner; BETTY  
BELL, County Commissioner; CAROL LONG, County  
Commissioner; KIM BENNETT, County Commission-  
er; OPAL HILL, County Commissioner; JOHN MOR-  
RIS, County Commissioner; BILLY SMITH, County  
Commissioner; ARCHIE PAGE, County Commission-  
er; CARL TILGHMAN, County Commissioner; WALTER  
HOUSE, SBI Agent; ANTHONY DENNIS, Investi-  
gator,

Defendants.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. W. Earl Britt, Senior  
District Judge. (CA-94-857-5-BR)

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Submitted: August 5, 1999

Decided: August 12, 1999

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

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Affirmed by unpublished per curiam opinion.

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Eldon Guy Bell, Appellant Pro Se. Cheryl A. Marteney, WARD & SMITH, P.A., New Bern, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eldon Guy Bell appeals from a jury verdict in favor of Defendant Galizia in Bell's 42 U.S.C.A. § 1983 (West Supp. 1999) action. On appeal, the only issue Bell raises is that the district court erred in denying his motion for appointment of counsel. Because we find the district court did not abuse its discretion in denying Bell's motion for appointed counsel, we affirm. See Whisenant v. Yuam, 739 F.2d 160, 163 (4th Cir. 1984); Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975). We grant Bell's "motion to proceed with brief," and deny Bell's motion for appointed counsel. 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