

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7673

CHRISTOPHER A. IRELAND, SR.,

Plaintiff - Appellant,

versus

JAMES DARREN BYERS,

Defendant - Appellee.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. Frank W. Bullock, Jr., Chief District Judge. (CA-97-952-1)

Submitted: March 11, 1999

Decided: March 18, 1999

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

Affirmed by unpublished per curiam opinion.

Christopher A. Ireland, Sr., Appellant Pro Se. James Darren Byers, LAW OFFICE OF J. DARREN BYERS, P.A., Winston-Salem, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Christopher Ireland appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1998) complaint. Appellee J. Darren Byers has moved to dismiss Ireland's appeal. 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 the district court's order on the reasoning of the district court. Ireland v. Byers, No. CA-97-952-1 (M.D.N.C. Oct. 26, 1998). We conclude that the district court did not err in dismissing the case with prejudice. We deny Appellee's motion to dismiss as moot. 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