

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-2029**

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JOSEPH A. RITZ,

Plaintiff - Appellant,

versus

CHRISTOPHER P. MORGAN,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Paul W. Grimm, Magistrate Judge. (CA-98-3947-AMD)

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Submitted: January 18, 2000

Decided: March 14, 2000

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Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Robert L. Miller, Thomas K. Ashwell, LAW OFFICES OF ROBERT L. MILLER, Bel Air, Maryland, for Appellant. Virginia W. Barnhart, County Attorney, Jeffrey Grant Cook, Assistant County Attorney, Towson, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph A. Ritz appeals the magistrate judge' grant of summary judgment to Christopher Morgan and dismissal of Ritz's civil rights complaint.\* Ritz's sole claim on appeal is that the Magistrate Judge erred in finding that as a matter of law Morgan did not have probable cause to arrest him for driving while intoxicated.

This court reviews a decision to grant summary judgment de novo. See Higgins v. E.I. DuPont de Nemours & Co., 863 F.2d 1162, 1167 (4th Cir. 1988). Summary judgment is appropriate only "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact." Fed. R. Civ. P. 56(c); see Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986).

We have reviewed Ritz's contentions and the magistrate judge's memorandum and order and find no reversible error. Accordingly, we affirm on the reasoning of the magistrate judge. See Ritz v. Morgan, No. CA-98-3947-AMD (D. Md. July 2, 1999). 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

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\*The proceedings in this action were conducted by a magistrate judge with the consent of the parties. See 28 U.S.C.A. § 636(c)(1) (1994).