

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6125

HENRY LEE JAMES, a/k/a Victor Haile,

Plaintiff - Appellant,

versus

R. L. WILLIAMS, Deputy, who was on duty at approximately 8:30 p.m. on September 25, 1997; DEPUTY LUARNER, who was on duty at approximately 8:30 p.m. on September 25, 1997; DEPUTY PAUL, who was on duty at approximately 8:30 p.m. on September 25, 1997; DEPUTY SICK, who was on duty at approximately 8:30 p.m. on September 25, 1997; T. BROWN, Deputy, who was on duty at approximately 8:30 p.m. on September 25, 1997; MICHELLE MITCHELL, in her official capacity as Sheriff of the City of Richmond,

Defendants - Appellees,

and

D. SMITH, Deputy, who was on duty at approximately 8:30 p.m. on September 25, 1997; JOHN DOE, who was on duty at approximately 8:30 p.m. on September 25, 1997; S. THOMPSON, who was on duty at approximately 8:30 p.m. on September 25, 1997; H. BROOK, who was on duty at approximately 8:30 p.m. on September 25, 1997,

Defendants.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. J. Calvitt Clarke, Jr., Senior District Judge. (CA-97-1103)

Submitted: May 13, 1999

Decided: May 18, 1999

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

Affirmed by unpublished per curiam opinion.

Henry Lee James, Appellant Pro Se. Robert A. Dybing, SHUFORD, RUBIN & GIBNEY, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Henry James appeals the district court's order granting Appellee's motion to dismiss his action filed under 42 U.S.C.A. § 1983 (West Supp. 1998). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm the judgment of the district court and deny James' motion for appointment of counsel. See James v. John Doe, No. CA-97-1103 (E.D. Va. Jan. 14, 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