

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7529

BILLY JOE PELFREY,

Plaintiff - Appellant,

versus

D. CASTLE, Officer, Badge #175HPD,

Defendant - Appellee,

and

CITY OF HUNTINGTON POLICE DEPARTMENT; CITY OF
HUNTINGTON CITY HALL; LEE BLACK, Chief of
Police,

Defendants.

Appeal from the United States District Court for the Southern Dis-
trict of West Virginia, at Huntington. Robert C. Chambers, District
Judge. (CA-98-450-3)

Submitted: April 27, 2000

Decided: May 2, 2000

Before NIEMEYER and MOTZ, Circuit Judges, and BUTZNER, Senior Cir-
cuit Judge.

Affirmed by unpublished per curiam opinion.

Billy Joe Pelfrey, Appellant Pro Se. Robert Carter Elkins, Laura L. Gray, CAMPBELL, WOODS, BAGLEY, EMERSON, MCNEER & HERNDON, Huntington, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Billy Joe Pelfrey appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1999) 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 Pelfrey v. Castle, No. CA-98-450-3 (S.D.W. Va. Sept. 23, 1999). We further deny Pelfrey's motion for the appointment of 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