UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-7108

GARY WALL,

Plaintiff - Appellant,

v.

R. MEFFORD; J. TESTERMAN; E. RASNICK, Correctional Officer of R.O.S.P.;
J. BARKER, Correctional Officer of R.O.S.P.,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Pamela Meade Sargent, Magistrate Judge. (7:16-cv-00305-PMS)

Submitted: February 22, 2019   Decided: March 20, 2019

Before KING and RICHARDSON, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Gary Wall, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary Wall appeals from the district court's judgment entered after a jury returned a verdict in favor of Appellees on Wall's First and Sixth Amendment claims raised pursuant to 42 U.S.C. § 1983 (2012).[*] The record does not contain a transcript of the jury proceedings. An appellant has the burden of including in the record on appeal a transcript of all parts of the proceedings material to the issues raised on appeal. Fed. R. App. P. 10(b); 4th Cir. R. 10(c). An appellant proceeding on appeal in forma pauperis is entitled to transcripts at government expense only in certain circumstances. 28 U.S.C. § 753(f) (2012). By failing to produce a transcript or to request and qualify for the production of a transcript at government expense, Wall has waived review of the issues on appeal that depend upon the transcript to show error. *See generally* Fed. R. App. P. 10(b)(2); *Keller v. Prince George's Cty.*, 827 F.2d 952, 954 n.1 (4th Cir. 1987). As no error appears on the record before us, we affirm the district court's order. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

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[*] Pursuant to 28 U.S.C. § 636(c) (2012), the parties consented to proceed before a magistrate judge.