

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-2048

CRAIG BOWERS,

Plaintiff - Appellant,

versus

WAYNE MONTGOMERY; REGINALD MILLER, Sergeant,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Dennis W. Shedd, District Judge. (CA-00-3380-3-19)

Submitted: February 26, 2002

Decided: May 9, 2002

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

Affirmed by unpublished per curiam opinion.

Wm. Gary White, III, Columbia, South Carolina, for Appellant.
Donna Seegars Givens, Darra James Vallini, WOODS & GIVENS, L.L.P.,
Lexington, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Craig Bowers appeals the district court's order granting summary judgment in favor of Wayne Montgomery in this action filed under 42 U.S.C.A. § 1983 (West Supp. 2001).^{*} We have reviewed the parties' briefs, the joint appendix, and the district court's opinion and find that Bowers' conduct was not protected by the First Amendment and there was probable cause to arrest. Accordingly, we affirm. 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

^{*} Bowers also named Sergeant Reginald Miller as a defendant, but does not challenge on appeal the district court's grant of summary judgment in Miller's favor. Nor does Bowers appear to challenge the dismissal of his state law claim of false arrest. We therefore find that he has abandoned these claims on appeal. Pleasurecraft Marine Engine Co. v. Thermo Power Corp., 272 F.3d 654, 657 (4th Cir. 2001) (noting that issues not raised in opening brief not preserved for appeal).