

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 01-7170

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PHENROY DAY,

Plaintiff - Appellant,

versus

PHILIP SPRATLEY, III; B. COLEMAN, Arresting  
Officer who works for Chief of Police Menetti;  
B. J. ROBERTS, Sheriff,

Defendants - Appellees,

and

CITY OF HAMPTON; COMMONWEALTH'S ATTORNEY'S  
OFFICE; SHERIFF'S OFFICE,

Defendants.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Alexandria. Gerald Bruce Lee, District  
Judge. (CA-99-1160-A)

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Submitted: October 18, 2001

Decided: October 29, 2001

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

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Affirmed by unpublished per curiam opinion.

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Phenroy Day, Appellant Pro Se. Linwood Theodore Wells, Jr., Assistant Attorney General, Richmond, Virginia; Samuel Lawrence Dumville, Virginia Beach, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Phenroy Day appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Day v. City of Hampton, No. CA-99-1160-A (E.D. Va. June 14, 2001). We deny Day's motion for appointment of appellate 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