

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6666

BANORO GARRETT,

Plaintiff - Appellant,

versus

T. R. WOODS; M. FERRELL; SMITH; NORFOLK
SHERIFF'S OFFICE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Raymond A. Jackson, District Judge. (CA-01-776-2)

Submitted: June 26, 2002

Decided: July 16, 2002

Before WIDENER, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Banoro Garrett, Appellant Pro Se. Samuel Lawrence Dumville, Virginia Beach, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Banoro Garrett appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2001) 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, but modify the district court's order dismissing Garrett's claim against Smith to reflect a dismissal without prejudice. Garrett v. Woods, No. CA-01-776-2 (E.D. Va. Apr. 22, 2002). We deny Garrett's motion for a transcript at government expense, and 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