

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6701

TIMOTHY E. MILLER,

Plaintiff - Appellant,

versus

SHELLY DEMARINO, Prosecuting Attorney; R.
RUSSELL STOBBS, Defense Counsel; JACK ALSOP,
Judge, in their individual capacities as
private citizens of the State of West
Virginia,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Clarksburg. Irene M. Keeley, Chief
District Judge. (CA-01-183-1)

Submitted: September 5, 2002

Decided: September 10, 2002

Before MOTZ, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timothy E. Miller, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Timothy E. Miller appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) 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 deny Miller's motion for appointment of counsel and affirm on the reasoning of the district court. See Miller v. DeMarino, No. CA-01-183-1 (N.D.W. Va. Apr. 24, 2002). 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