

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7085

RON TEARIA NICHOLAS,

Plaintiff - Appellant,

versus

ISIAH CANN, Lieutenant, Allendale Correctional
Institution; T. BRYAN BYRNE, Doctor at
Allendale Correctional Institution; NFN
CROSBY, LPN at Allendale Correctional
Institution; JOHN R. PATE, Warden, Allendale
Correctional Institution,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. David C. Norton, District Judge.
(CA-01-4480-9)

Submitted: December 16, 2002

Decided: December 19, 2002

Before LUTTIG, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Ron Tearia Nicholas, Appellant Pro Se. Michael Charles Tanner,
EARLY & NESS, Bamberg, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ron Tearia Nicholas appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice his 42 U.S.C. § 1983 (2000) complaint as it related to Defendants Isiah Cann and John Pate.* We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Nicholas v. Cann, No. CA-01-4480-9 (D.S.C. June 25, 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

* Because Nicholas does not challenge the dismissal with prejudice of his remaining claims in his appellate brief, he has waived appellate review as to the remaining claims. See 4th Cir. R. 34(b).