

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-6503**

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JAMES G. LAWRENCE,

Plaintiff - Appellant,

versus

P. A. TERRANGI; DOCTOR IBERRA; CHARLYNE  
BROUGHMAN-CRITZER, Correctional Officer; CATHY  
COUTHER; LAUREL CORNERS; JAMES KEELING; SALLY  
CASEBOLT; FREDERICK J. SCHILLING, III; MS.  
DODSON; LALANI MCCANN, Doctor; M. G. HAQUE,  
Doctor; HASAN OZINAL, Doctor,

Defendants - Appellees,

and

VIRGINIA DEPARTMENT OF CORRECTIONS; VERNON  
SMITH, Doctor,

Defendants.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Norfolk. Rebecca Beach Smith, District  
Judge. (CA-02-869-2)

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Submitted: July 28, 2004

Decided: August 19, 2004

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

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Affirmed by unpublished per curiam opinion.

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James G. Lawrence, Appellant Pro Se. Susan Foster Barr, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia; Jeff Wayne Rosen, Lisa Ehrich, PENDER & COWARD, P.C., Virginia Beach, Virginia; John David McChesney, Ashton Marie Jennette, RAWLS & MCNELIS, P.C., Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

James G. Lawrence appeals the district court's order granting summary judgment to Defendants McCann, Iberra and Ozinal on his 42 U.S.C. § 1983 (2000) complaint. Lawrence also appeals the district court's order dismissing without prejudice his claims against Defendants Schilling and Broughman-Critzer. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm substantially on the reasoning of the district court.\* See Lawrence v. Terrangi, No. CA-02-869-2 (E.D. Va. Mar. 12, 2004). 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

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\*With regard to the district court's finding that Lawrence must demonstrate a significant injury to prevail on his claim that Defendants Iberra and Ozinal were deliberately indifferent to his serious medical needs, we find that such a showing is not always necessary. See Helling v. McKinney, 509 U.S. 25 (1993). Regardless, we find that Lawrence has failed to demonstrate that Defendants' conduct was so grossly incompetent, or shocking to the conscience, to be considered deliberately indifferent. See Miltier v. Beorn, 896 F.2d 848, 851 (4th Cir. 1990).