

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-1103**

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BRYAN O'NEAL BENSON,

Plaintiff - Appellant,

versus

BRAD PLEASANTS, Officer; S. A. SEFTON,  
Officer,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. James C. Fox, Senior  
District Judge. (5:06-cv-00058-F)

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Submitted: June 15, 2007

Decided: June 20, 2007

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Before WIDENER, MICHAEL, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Bryan O'Neal Benson, Appellant Pro Se. John A. Maxfield, COUNTY  
ATTORNEY'S OFFICE FOR THE COUNTY OF WAKE, Raleigh, North Carolina;  
Reid Russell, Julie Lynn Bell, PATTERSON, DILTHEY, CLAY, BRYSON &  
ANDERSON, LLP, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bryan O'Neal Benson appeals the district court's order granting in part and denying in part Defendants' motion for summary judgment and dismissing Benson's claims against the Defendants in their official capacities in his 42 U.S.C. § 1983 (2000) action.\* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Benson v. Pleasants, No. 5:06-cv-00058-F (E.D.N.C. Jan. 4, 2007). 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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\*Although this appeal was interlocutory at the time Benson filed the notice of appeal, we possess jurisdiction to consider the merits because the district court has subsequently entered final judgment disposing of the remaining claims. See In re Bryson, 406 F.3d 284 (4th Cir. 2005).