

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 09-1101**

---

EUGENE T. HOLMES,

Plaintiff - Appellant,

v.

ELAINE F. MARSHALL, NC Secretary of State; DEREK G. WILES;  
WAYNE GROOMS; JW BIUE; CHARLES JONES; ALEC CHAPLIN, JR.;  
LISA F. BYERLY; LOCK BELL; MICHAEL NEESE, Asst. District  
Attorney; SHERRY H. TINDELL; MANICA STEWARD; TOM HORNER,  
Clerk of Superior Court; CARL SPARDLEY; LARRY BROWN;  
MICHAEL LANDS; RAYMOND HAMRICK; JUDGE FAUST; JASON THOMAS  
WALL; ANNIE FOSTER; DAVID TEDDY; K. DEAN BLACK; FNU SIMS;  
RICHARD ABERNETHY; WILLIAM A. ANTHONY; NAVY BLACK NORELLE;  
DANE C. MASTIN; GLENN E. ANDERSON, SR.; MIKE BUTLER; MARVIN  
PROCTOR; REID JAMES; KEVIN BRACKETT; BRUCE BRYANT; ROBERT  
HUDGINS; DON BRIDGES; DAVID B. SAMPLE; DONALD RICE;  
MEREDITH A. SHUFORD; MEGAN FONTANA; WOODROW P. BURGESS;  
ANGELIA HOVIE; ANDY D. CROMER ANDERSON; MITCHELL L. MCLEAN,  
Clerk of Superior Court; JEFFREY RAY SMITH; CHARLES WOMACK;  
JESSE B. CALDWELL, III; RALPH C. GINGLES; RALPH GURGAINUS;  
JAMES B. PASLAY; DAVID STEWARD; SANDA ROBERT; PINKY REESE;  
TIMOTHY L. PATTI; JASON P. GREEN, Chief of Police; MAJOR  
LEPHARD; ALAN CLONINGER, Sheriff,

Defendants - Appellees.

---

Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Martin K. Reidinger,  
District Judge. (3:08-cv-00600-MR-CH)

---

Submitted: September 24, 2009

Decided: October 7, 2009

---

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

---

Affirmed by unpublished per curiam opinion.

---

Eugene T. Holmes, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eugene T. Holmes appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint as frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Holmes v. Marshall, No. 3:08-cv-00600-MR-CH (W.D.N.C. Jan 14, 2009). 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