

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6239

QUENTIN MCLEAN,

Plaintiff - Appellant,

versus

L. D. BARNES, in his individual and official capacity as deputy of Arlington Detention Facility; JOHN DOE, of Arlington County Detention Facility; JANE DOE, of Arlington County Detention Facility,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Robert G. Doumar, Senior District Judge. (CA-97-453-2)

Submitted: May 18, 1999

Decided: June 25, 1999

Before ERVIN, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Quentin McLean, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Quentin McLean appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1998) complaint. We have reviewed the record and the district court's opinion and find no reversible error. The district court dismissed the case without prejudice to McLean's ability to refile the action at a later date. However, the limitations period had already expired. Accordingly, we affirm on the reasoning of the district court, as modified to reflect dismissal with prejudice. McLean v. Barnes, No. CA-97-453-2 (E.D. Va. Jan. 13, 1999). We deny McLean's motion for appointment of counsel. 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 AS MODIFIED