UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7245

CALVIN GEORGIA,

Plaintiff - Appellant,

versus

PENINSULA REGIONAL MEDICAL CENTER; DOCTOR KLUG; WICOMICO COUNTY SHERIFF'S DEPARTMENT; ROBIN ROBERTS; WICOMICO COUNTY DETENTION CENTER,

Defendants - Appellees,

and

GEORGIA TINGLE; DOCTOR SHARMA,

Defendants.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CA-98-33-S)

Submitted: November 30, 1998 Decided: December 21, 1998

Before WILKINS and KING, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Calvin Georgia, Appellant Pro Se. John Russell Penhallegon, Gary Elliott Dumer, Jr., CORNBLATT, BENNETT, PENHALLEGON & ROBERSON, P.A., Baltimore, Maryland; David Randolph Thompson, COWDREY, THOMPSON & KARSTEN, P.A., Easton, Maryland; Kevin Bock Karpinski, ALLEN, JOHNSON, ALEXANDER & KARP, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Calvin Georgia appeals the district court's order denying his motion for default judgment/summary judgment on his 42 U.S.C.A. § 1983 (West Supp. 1998) complaint and granting summary judgment in favor of Defendants-Appellees. We have reviewed the record and the district court’s opinion and conclude the court did not abuse its discretion in denying Georgia’s motion for default judgment against Appellee Klug based on Klug’s failure to timely answer Georgia’s complaint. We also conclude the court properly granted summary judgment in favor of Defendants-Appellees because there was no genuine issue of material fact and the Defendants-Appellees were entitled to judgment as a matter of law. Accordingly, we affirm on the reasoning of the district court. Georgia v. Peninsula Reg’l Med. Ctr., No. CA-98-33-S (D. Md. July 29, 1998). 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