

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6235

JOHN PAUL SMITH, SR.,

Plaintiff - Appellant,

v.

COMMONWEALTH OF VIRGINIA; VIRGINIA DEPARTMENT OF CORRECTIONS;
GENE M. JOHNSON, VDOC Director; FRED SCHILLING, VDOC Health
Services Director; POWHATAN CORRECTIONAL CENTER; EDDIE L.
PEARSON, Warden; WARDEN BAILEY; DOCTOR RODR; NURSE SPIGLE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Norfolk. Rebecca Beach Smith, District
Judge. (2:06-cv-00643-RBS-TEM)

Submitted: July 31, 2008

Decided: August 29, 2008

Before MICHAEL, KING, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John Paul Smith, Sr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Paul Smith, Sr., appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint for failure to state a claim. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Smith v. Virginia, No. 2:06-cv-00643-RBS-TEM (E.D. Va. Jan. 17, 2008). 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