

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 09-6256**

---

EDWARD J. GARDNER, IV,

Plaintiff - Appellant,

v.

MICHAEL F. EASLEY; BEVERLY PERDUE; JOHN AND JANE DOES, NC Senators 1-500; JOHN AND JANE DOES, NC House of Representative 1-800; ROY ALLEN COOPER; JANE AND JOHN DOES, Legal Staff 1-400; NORTH CAROLINA PRISONER LEGAL SERVICES, INCORPORATED; JOHN AND JANE DOES, Legal Staff 1-100; NORTH CAROLINA DEPARTMENT OF CORRECTION; THEODIS BECK; FINESSE G. COUCH; BOYD BENNETT; DANIEL L. STIENEKE; FREDERICK AIKENS; TRACY LITTLE; PAT CHAVIS; JOE LOFTON; JOHN BLALOCK; HATTIE PIMPONG; PAULA SMITH, Dr.; JANE AND JOHN DOES, UR Board 1-50; REGINALD E. MIDGETTE; BRADLEY BANNON; DAVID W. LONG; ANNIE L. ROUSE, D.H.L.; JOHN AND JANE DOES, Raleigh Medical 1-200; JOHN AND JANE DOES, Positions Unknown 1-200; COLUMBUS CORRECTIONAL INSTITUTION, #4355; LANORA HUNT; JOHN AND JANE DOES, Asst. Supt. of Programs; JOHN AND JANE DOE, Program Supervisor; JANE DOE, Case Manager; JOHN AND JANE DOES, Captains 1-50; LIEUTENANT PRIEST; JOHN AND JANE DOES, Lieutenants 1-50; JOHN AND JANE DOES, Sergeants 1-50; OFFICER ALGOOD, OIC; JOHN AND JANE DOES, Officers 1-400; JOHN AND JANE DOES, Conditioner, (s) Mentor, (s) Trainer, (s) etc 1-100; JOHN AND JANE DOES, Riot Team 1-10; JOHN AND JANE DOES, Camera Operators 1-5; JOHN AND JANE DOES, Armory Officers 1-10; JOHN AND JANE DOES, Hierarchy Officers 1-50; JOHN AND JANE DOES, Master Control Officers 1-100; DOES 1 - 100, Central Control Officers 1-100; JOHN AND JANE DOES, Gatehouse Officers 1-100; JOHN AND JANE DOES, Perimeter Surveillance Officers 1-100; JOHN AND JANE DOES, Plant Maintenance Employees 1-100; JOHN DOE, DHO Officer; JOHN AND JANE DOES, Medical Staff Employees 1-100; ERIC BROWN; COLUMBUS MEMORIAL HOSPITAL; JOHN AND JANE DOES, Board of Trustees 1-100; JOHN AND JANE DOES, Supervisors

Employees 1-100; JOHN AND JANE DOES, Emergency Room Staff  
Employees 1-50,

Defendants - Appellees.

---

Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. James C. Dever III,  
District Judge. (5:07-ct-03104-D)

---

Submitted: July 23, 2009

Decided: August 10, 2009

---

Before KING, SHEDD, and AGEE, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Edward J. Gardner, IV, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Edward J. Gardner, IV, appeals the district court's order dismissing his amended complaint filed under 42 U.S.C. § 1983 (2006), for failure to comply with the court's prior order directing him to file a complaint setting forth his claims in a short and plain statement, as required by Fed. R. Civ. P. 8(a), and warning him of the consequences of failing to comply. Our review of the record leads us to conclude that the district court did not abuse its discretion in finding that Gardner failed to comply with Rule 8. See Ciralsky v. Cent. Intelligence Agency, 355 F.3d 661, 668-69 (D.C. Cir. 2004) (stating standard of review). Accordingly, we affirm the judgment of the district court. We deny Gardner's motions for appointment of counsel, for stay pending appeal, and for injunctive relief. 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