

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1921

MICHAEL D. WILKINS,

Plaintiff - Appellant,

versus

J. L. CLARY; DANNY FOX; PETE KUEHL; GEORGE
AUSTIN; NANCY M. THORNE,

Defendants - Appellees.

UNITED STATES OF AMERICA,

Movant.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. Dennis W. Dohnal, Magistrate
Judge. (CA-01-795-DWD)

Submitted: October 26, 2006

Decided: February 13, 2007

Before WILKINS, Chief Judge, WIDENER, Circuit Judge, and David A.
FABER, Chief United States District Judge for the Southern District
of West Virginia, sitting by designation.

Affirmed by unpublished per curiam opinion.

Michael D. Wilkins, Appellant Pro Se. John A. Gibney, Jr.,
THOMPSON & MCMULLAN, P.C., Richmond, Virginia, for Appellees J. L.
Clary, Danny Fox, Pete Kuehl, Nancy M. Thorne. Judith Williams

Jagdmann, Attorney General, Maureen Riley Matsen, Deputy Attorney General, Peter R. Messitt, Senior Assistant Attorney General, Catherine Crooks Hill, Assistant Attorney General, OFFICE OF THE ATTORNEY GENERAL, Richmond, Virginia, for Appellee George Austin.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael D. Wilkins appeals district court orders granting summary judgment to five Virginia law enforcement officials (collectively, "Appellees") in his action under 42 U.S.C.A. § 1983 (West 2003). Wilkins alleges that Appellees presented false and misleading testimony to the federal grand jury that indicted him on drug charges of which he was later acquitted. The district court rejected Wilkins' claim, concluding, inter alia, that Wilkins had failed to present any evidence to support his allegation.

After reviewing the parties' briefs and the applicable law, we conclude that the district court correctly granted summary judgment to Appellees.* Accordingly, we affirm. 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

*We also reject Wilkins' argument that the district court afforded him inadequate opportunity to conduct discovery.