

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7453

DAVID CHARLES WHIDDEN,

Plaintiff - Appellant,

versus

JENNA AUBERT, PFC, Badge 189; GARY BLAKES,
Sergeant, Badge No. 152,

Defendants - Appellees,

and

CITY OF HYATTSVILLE, MARYLAND, a Municipal
Corporation,

Defendant.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Alexander Williams, Jr., District Judge.
(CA-04-751-AW)

Submitted: June 28, 2006

Decided: August 3, 2006

Before WILKINSON, TRAXLER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Terrell N. Roberts, III, ROBERTS & WOOD, Riverdale, Maryland, for
Appellant. Daniel Karp, ALLEN, KARPINSKI, BRYANT & KARP,
Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

David Charles Whidden appeals the district court's order denying relief on his complaint that asserted both violations of federal constitutional law pursuant to 42 U.S.C. § 1983 (2000) and claims arising under state law. We have reviewed the record and find no reversible error. Accordingly, we affirm substantially on the reasoning of the district court.* Whidden v. Blakes, No. CA-04-751-AW (D. Md. July 29, 2005). 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

*While the district court dismissed Whidden's state law claims upon a finding that Maryland's statutory immunity for government officials insulated the defendants from liability, we conclude that a consideration of immunity was unnecessary as the defendants did not lack probable cause for their actions. DiPino v. Davis, 729 A.2d 354, 366-67 (Md. 1999).