Smith v. Crawley Doc. 920060831

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6921

ROBERT WAYNE SMITH,

Plaintiff - Appellant,

versus

OFFICER CRAWLEY; C. COVINGTON, Lieutenant; J. K. BENNETT, Superintendent; L. GIBSON, Sergeant; RICK JACKSON, Warden,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, Senior District Judge. (3:06-cv-00179-3)

Submitted: August 24, 2006 Decided: August 31, 2006

Before KING, SHEDD, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert Wayne Smith, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

Dockets.Justia.com

PER CURIAM:

Robert Wayne Smith appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.* Smith v. Crawley, No. 3:06-cv-00179-3 (W.D.N.C. Apr. 24, 2006). Smith's motion for appointment of counsel is denied. 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

*The first sentence of the first full paragraph on page two of the district court's order reads "Plaintiff's allegations regarding Officer Crawley's use of profanity do rise to the level of a constitutional challenge." We note that this is a typographical error because it is clear the district court intended to state that Smith's claims "do not rise to the level of a constitutional challenge."