

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6258

BILLY REID TREMBLEY,

Plaintiff - Appellant,

v.

OFFICER DAVIS, Jail Officer; OFFICER WOODS, Jail Officer,

Defendants - Appellees.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. William L. Osteen, Jr., District Judge. (1:07-cv-00853-WO-WWD)

Submitted: September 11, 2008

Decided: September 16, 2008

Before WILKINSON and NIEMEYER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Billy Reid Trembley, Appellant Pro Se. Daniel Edwin DeCicco, TEMPLETON & RAYNOR, Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Billy Reid Trembley appeals the district court's order accepting the recommendation of the magistrate judge and 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. Trembley v. Davis, No. 1:07-cv-00853-WO-WWD (M.D.N.C. Jan. 31, 2008). We deny Appellees' pending motion to dismiss and amended motion to dismiss as moot and 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