

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-7294

ROGER STEVENSON,

Plaintiff - Appellant,

v.

APRIL SHOUP, Unit Manager at the Marion Correctional
Institution; JASON DOBSON, Case Manager; TURNER SOUTH,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Graham C. Mullen,
Senior District Judge. (3:08-cv-00305-GCM)

Submitted: May 21, 2009

Decided: June 16, 2009

Before TRAXLER and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Roger Stevenson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roger Stevenson appeals the district court's July 14, 2008 order dismissing without prejudice Stevenson's 42 U.S.C. § 1983 (2006) complaint. On October 1, 2009, the district court entered an order granting Stevenson's motion for relief from the July 14 order and reopened the case as a pending action. Accordingly, we deny Stevenson's motion for appointment of counsel and dismiss the appeal as moot. 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.

DISMISSED