

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-2213

HENRY PIERCE,

Plaintiff - Appellant,

v.

CITY OF MULLINS POLICE DEPARTMENT; JIMMY ALFORD, JR., Individually and as Chief of Mullins Police Department; M. C. PAGE, Individually and as an employee of the City of Mullins Police Department; MICHAEL BETHEA, Individually and as an employee of the City of Mullins Police Department; JACK DAVIS, Individually and as an employee of the City of Mullins Police Department; BILL BULLARD, Individually and as an employee of the City of Mullins Police Department; BENJAMIN WILLIS, Individually and as an employee of the City of Mullins Police Department,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. Terry L. Wooten, District Judge. (4:00-cv-04004-TLW)

Submitted: February 25, 2010

Decided: March 2, 2010

Before DUNCAN and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Henry Pierce, Appellant Pro Se. Vinton D. Lide, LIDE & PAULEY, LLC, Lexington, South Carolina; Katherine Anne Phillips, Lake E.

Summers, MALONE, THOMPSON, SUMMERS & OTT, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Henry Pierce appeals the district court's order denying as untimely his motion filed pursuant to Fed. R. Civ. P. 60(b)(6), in which he sought a new trial on his excessive force claims. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Pierce v. City of Mullins Police Dep't, No. 4:00-cv-04004-TLW (D.S.C. Oct. 7, 2009). 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