

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6487

TImmIE RUSSELL LOCKLEAR,

Plaintiff - Appellant,

v.

HOPE HARRISON; NURSE PADGETT; NICKOLUS D. VAUG; PAULA SMITH,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, Senior District Judge. (5:08-ct-03132-H)

Submitted: September 28, 2009

Decided: October 8, 2009

Before WILKINSON, MICHAEL, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Timmie Russell Locklear, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timmie Russell Locklear appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint under 28 U.S.C. § 1915(e)(2)(B) (2006). We have reviewed the record and find that this appeal is frivolous. Accordingly, we deny Locklear's motion for appointment of counsel and dismiss the appeal for the reasons stated by the district court. Locklear v. Harrison, No. 5:08-ct-03132-H (E.D.N.C. March 11, 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.

DISMISSED