

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2052

VICTOR B. WHITE,

Plaintiff - Appellant,

v.

FNU SMEREKA; FNU TAYLOR; CITY OF CHARLOTTE, NORTH CAROLINA;
FNU MACRAE,

Defendants - Appellees,

and

FNU SERGEANT; FNU SMITH; FNU PAULK; FNU CHILDS; FNU TIMMER,

Defendants.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Frank D. Whitney,
District Judge. (3:09-cv-00257-FDW-DCK)

Submitted: January 28, 2011

Decided: February 10, 2011

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

Affirmed by unpublished per curiam opinion.

Victor B. White, Appellant Pro Se. Robert Dennis McDonnell,
Charlotte, North Carolina; David John Adinolfi, II, Special
Deputy Attorney General, Raleigh, North Carolina; Sean Francis

Perrin, WOMBLE CARLYLE SANDRIDGE & RICE, PLLC, Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Victor B. White appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2006) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. White v. Smereka, No. 3:09-cv-00257-FDW-DCK (W.D.N.C. June 14, 2010 & Aug. 17, 2010). Further, we deny the City of Charlotte, North Carolina's motion to dismiss, because we find that White's notice of appeal was timely filed. 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