

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7734

RISHARD LEWIS GETER,

Plaintiff - Appellant,

v.

OFFICER TAHARRA, Jailer, Spartanburg County Detention
Center,

Defendant - Appellee,

and

LARRY POWERS, Warden, Spartanburg County Detention Center;
TERESA SPELLER, Captain, Spartanburg County Detention
Center,

Defendants.

Appeal from the United States District Court for the District of
South Carolina, at Anderson. J. Michelle Childs, District
Judge. (8:07-cv-03849-JMC)

Submitted: April 19, 2011

Decided: May 3, 2011

Before NIEMEYER, MOTZ, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Rishard Lewis Geter, Appellant Pro Se. Andrew Todd Darwin,
HOLCOMBE, BOMAR, GUNN & BRADFORD, PA, Spartanburg, South
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rishard Lewis Geter appeals a jury verdict in his 42 U.S.C. § 1983 (2006) action against Officer Taharra of the Spartanburg County Detention Center. On appeal, Geter challenges several rulings of the district court and alleges the ineffectiveness of the attorney appointed to assist him. We affirm.

We review evidentiary rulings by the district court for an abuse of discretion. United States v. Basham, 561 F.3d 302, 325 (4th Cir. 2009). An abuse of discretion occurs when “the district court judge acted arbitrarily or irrationally in admitting [or excluding] evidence.” Id. at 326 (internal quotation marks omitted). Having reviewed the informal briefs of the parties and the record before us, we perceive no such abuse of discretion in the challenged rulings of the district court.

Geter also challenges the effectiveness of counsel. However, there is no right to appointment of counsel in a civil case, and allegations of appointed counsel’s ineffectiveness are not sufficient to raise a valid claim for relief on appeal. See Glick v. Henderson, 855 F.2d 536, 541 (8th Cir. 1988); Sanchez v. United States Postal Serv., 785 F.2d 1236, 1237 (5th Cir. 1986). Therefore, these claims entitle Geter to no relief.

Geter also alleges that he has new evidence that entitles him to a new trial. However, the material submitted to the court is not new, and therefore warrants no retrial. United States v. Custis, 988 F.2d 1355, 1359 (4th Cir. 1993) ("The standard for granting a new trial is well established in this circuit: [first,] the evidence must be, in fact, newly discovered, i.e., discovered since the trial.").

Geter's claims entitle him to no relief, and we therefore affirm the judgment of the district court imposed on the jury verdict. 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