

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-2255**

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CHRISTOPHER C. BAILEY, IV,  
Plaintiff - Appellant,

v.

JAN SMOKOWICZ, City Attorney; TOM BARRET, Mayor,  
Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Newport News. Rebecca Beach Smith,  
Chief District Judge. (4:12-cv-00042-RBS-DEM)

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Submitted: March 26, 2013

Decided: March 28, 2013

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Before DUNCAN, FLOYD, and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Christopher C. Bailey, IV, Appellant Pro Se. James Arthur  
Cales, III, FURNISS, DAVIS, RASHKIND & SAUNDERS, Norfolk,  
Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher C. Bailey, IV, appeals the district court's order denying his motion for default judgment and granting defendants' motion to dismiss his 42 U.S.C. § 1983 (2006) complaint. See Fed. R. Civ. P. 12(b)(2), (5), (6). We have reviewed the record and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we affirm for the reasons stated by the district court. Bailey v. Smokowicz, No. 4:12-cv-00042-RBS-DEM (E.D. Va. filed Sept. 13, 2012; entered Sept. 14, 2012). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED