

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7510

DAVID ATKINS,

Plaintiff - Appellant,

v.

DONALD F. FARLEY, Sheriff; K. SEARS, Classification
Officer; SHANK, Classification Officer; STEVEN SHORTELL,
LT.; KATHRYN SCHWARTZ, RN, Head Nurse,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, Chief
District Judge. (7:11-cv-00592-GEC-RSB)

Submitted: January 15, 2013

Decided: February 1, 2013

Before DAVIS, KEENAN, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

David Atkins, Appellant Pro Se. Carlene Booth Johnson, PERRY
LAW FIRM, PC, Dillwyn, Virginia; Wade Travis Anderson, Kevin
Osborne Barnard, FRITH, ANDERSON & PEAKE, PC, Roanoke, Virginia,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Atkins appeals the district court's order granting the motion for judgment on the pleadings filed by Defendant Schwartz, granting the motion to dismiss for failure to state a claim filed by Defendants Farley, Sears, Shank, and Shortell, and denying relief on his 42 U.S.C. § 1983 (2006) civil rights action. We have reviewed the record and find no reversible error. Accordingly, we grant leave to proceed in forma pauperis and affirm for the reasons stated by the district court. Atkins v. Farley, No. 7:11-cv-00592-GEC-RSB (W.D. Va. Aug. 3, 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