

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7717

CHRISTOPHER D. ELLERBE,

Plaintiff - Appellant,

v.

DENNIS MARSHALL, Assistant Unit Manager; BILLY JEAN WEAVER, Disciplinary Hearing Officer; HEH, Corrections Officer; NICHOLSON, Corrections Officer; PRESSLEY, Corrections Officer; BENNETT, Corrections Officer; NANCE, Corrections Officer; TRIPLETT, Corrections Officer; STURDIVANT, Corrections Officer; STANBACK, Corrections Officer; GADDY, Corrections Officer; CAMPBELL, Nurse; EAVES, Nurse; HARRIS, Nurse; HINKEL, Nurse; KEVIN T. KING, Assistant Superintendent; SANTA LUCIA, Nurse,

Defendants - Appellees,

and

BOYD BENNETT, Director of Prisons, N.C. Department of Corrections; E. D. WALLACE, Grievance Examiner; RICK JACKSON, Superintendent; KORY DALRYMPLE, Assistant Superintendent; JERLINE BENNETT, Program Director I; GLENN KINNEY, Assistant Unit Manager; GOODWIN, Corrections Officer; WYATT, Corrections Officer; MARSDEN, Corrections Officer; ZIMMERMAN, Corrections Officer; STEVENS, Nurse; NORTH CAROLINA PRISONER LEGAL SERVICES, INC.,

Defendants.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert J. Conrad, Jr., Chief District Judge. (3:10-cv-00130-RJC)

Submitted: February 21, 2013

Decided: February 25, 2013

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

Affirmed by unpublished per curiam opinion.

Christopher D. Ellerbe, Appellant Pro Se. Lisa Yvette Harper,
Assistant Attorney General, Raleigh, North Carolina; Mary
Margaret Dillon, ELLIS & WINTERS, LLP, Cary, North Carolina;
Molly M. Shah, Jerry Howard Walters, Jr., LITTLER MENDELSON PC,
Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Christopher D. Ellerbe 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. Ellerbe v. Weaver, No. 3:10-cv-00130-RJC (W.D.N.C. Sept. 20, 2012). In addition, we deny Ellerbe's motion to appoint counsel. 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