

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7846

JOHNATHAN SIMMONS, a/k/a Jonathan Dale Simmons,

Plaintiff - Appellant,

v.

JOHN VICKERS; MICHAEL NAJJAR; WARDEN MCCALL; OFFICER SMITH,
et al,

Defendants - Appellees.

No. 12-7848

JONATHAN DALE SIMMONS,

Plaintiff - Appellant,

v.

SCDC; JOHN VICKERS; MICHAEL NAJJAR; WARDEN MCCALL; OFFICER
SMITH,

Defendants - Appellees.

Appeals from the United States District Court for the District
of South Carolina, at Aiken. Terry L. Wooten, District Judge.
(1:09-cv-00653-TLW; 1:09-cv-00858-TLW)

Submitted: December 20, 2012

Decided: December 27, 2012

Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Jonathan Dale Simmons, Appellant Pro Se. James Victor McDade,
DOYLE, O'ROURKE, TATE & MCDADE, PA, Anderson, South Carolina,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jonathan Simmons appeals the district court's order denying as untimely his motion to alter or amend the court's order awarding the Defendants summary judgment 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. Simmons v. Vickers, No. 1:09-cv-00653-TLW; Simmons v. S.C. Dep't of Corr., No. 1:09-cv-00858-TLW (D.S.C. Oct. 3; Oct. 2 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