

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7324

KAREEM ABDULLAH KIRK-BEY,

Plaintiff - Appellant,

v.

CHARLOTTE MECKLENBURG POLICE DEPARTMENT; PETER S.
GILCHRIST, III; CHRISTOPHER M. COLLIER; APRIL N. PHIFER,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Robert J. Conrad,
Jr., District Judge. (3:13-cv-00330-RJC)

Submitted: January 22, 2014

Decided: January 29, 2014

Before MOTZ, DUNCAN, and KEENAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kareem Abdullah Kirk-Bey, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kareem Abdullah Kirk-Bey 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 substantially for the reasons stated by the district court.* Kirk-Bey v. Charlotte Mecklenburg Police Dep't, No. 3:13-cv-00330-RJC (W.D.N.C. July 29, 2013). 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

* To the extent that Kirk-Bey's claim of false arrest does not necessarily implicate the validity of his conviction, see Brooks v. City of Winston-Salem, 85 F.3d 178, 181 (4th Cir. 1996), his claim is, nevertheless, without merit. As noted by the district court, Kirk-Bey has previously raised this claim against the police department in Kirk-Bey v. Murray, No. 3:12-cv-00106 (W.D.N.C. Feb. 28, 2012). The district court denied relief and Kirk-Bey did not appeal. Thus, his attempt to raise the claim in a new action is barred by the doctrine of res judicata. Ohio Valley Envtl. Coal v. Aracoma Coal Co., 556 F.3d 177, 210 (4th Cir. 2009).