

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7530

DEMETRIUS HILL,

Plaintiff - Appellant,

v.

TERRY A. O'BRIEN, Warden; MR. STRICKLAND, Associate Warden;
MR. WILSON, Captain; LIEUTENANT STIGER; DOCTOR ALLRED;
DOCTOR ROFF, Health Administrator; NURSE MEADE; CORRECTIONAL
OFFICER CRUM; CORRECTIONAL OFFICER TAYLOR; CORRECTIONAL
OFFICER MARTIN,

Defendants - Appellees,

and

COUNSELOR PULIVAR; COUNSELOR MULLINS; MS. HALL, Case
Manager; T. TAYLOR, Correctional Officer,

Defendants.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, Senior
District Judge. (7:08-cv-00283-JCT-RSB)

Submitted: January 31, 2014

Decided: February 14, 2014

Before NIEMEYER, AGEE, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Demetrius Hill, Appellant Pro Se. Thomas Linn Eckert, Assistant
United States Attorney, Roanoke, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In April 2008, Demetrius Hill filed a complaint pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), alleging various prison officials violated his constitutional rights. After a rather circuitous path,¹ Hill now appeals the district court's order of April 4, 2011, granting summary judgment to certain defendants on his claims of (1) excessive force using ambulatory restraints on November 1, 2007; (2) deliberate indifference to his serious medical needs on November 1, 2007; and (3) deliberate indifference to his chronic asthmatic condition.²

¹ See Hill v. O'Brien, 387 F. App'x 396 (4th Cir. 2010) (unpublished) (vacating district court's dismissal of Hill's excessive force claims and remanding the case to the district court in light of Wilkins v. Gaddy, 559 U.S. 34 (2010), and vacating district court's order granting summary judgment on Hill's medical claims for failure to exhaust administrative remedies and remanding those claims to the district court); see also Hill v. Crum, 727 F.3d 312 (4th Cir. 2013) (reversing the district court's order denying Crum's motion for judgment as a matter of law, and remanding with instructions to enter judgment in favor of Crum).

² In so confining his appeal, Hill has waived review of the issues he has not briefed or challenged. See 4th Cir. R. 34(b) (directing appealing parties to present specific arguments in an informal brief and stating that this court's review on appeal is limited to the issues raised in the informal brief).

We have reviewed the record and find no reversible error.³ Accordingly, we affirm for the reasons stated by the district court. Hill v. O'Brien, 7:08-cv-00283-JCT-RSB (W.D. Va. Apr. 4, 2011). We deny Hill's motion for appointment of counsel and for a transcript at government expense. 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

³ Although Hill's notice of appeal was filed prior to the entry of final judgment, we have jurisdiction over this appeal under the doctrine of cumulative finality. Equip. Fin. Group, Inc. v. Traverse Computer Brokers, 973 F.2d 345, 347-48 (4th Cir. 1992).