

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7815

CLARENCE ROULHAC, JR.,

Plaintiff - Appellant,

v.

HAROLD W. CLARKE, Director VDOC; LINDA SHIELDS, F.S. Dir.
VDOC; CARL MARROW, Reg. F.S. Dir. VDOC; JEFFREY DILLMAN,
Warden Powhatan Corr. Ctr.; L. HUNT, Food Service Director,
P.C.C.,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. Henry E. Hudson, District
Judge. (3:13-cv-00049-HEH)

Submitted: April 28, 2015

Decided: May 1, 2015

Before GREGORY, SHEDD, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Clarence Roulhac, Jr., Appellant Pro Se. John Michael Parsons,
Assistant Attorney General, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clarence Roulhac, Jr., a Virginia inmate, appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) action for failure to state a claim. While Roulhac's informal appellate brief raises myriad challenges to the conditions of his confinement, we conclude only his Eighth Amendment claims related to the quality of the food and water served at Powhatan Correctional Center ("PCC") were fairly presented in the complaint and thus properly raised in the district court. See Cozzarelli v. Inspire Pharm., Inc., 549 F.3d 618, 630-31 (4th Cir. 2008) (finding no abuse of discretion in "declining to grant a motion [to amend] that was never properly made"); see also In re Under Seal, 749 F.3d 276, 285-86 (4th Cir. 2014) (recognizing court will not consider issues raised for first time on appeal absent exceptional circumstances). Additionally, Roulhac has forfeited appellate review of his challenge to PCC's water quality by failing to address this issue in his informal brief. See 4th Cir. R. 34(b) (limiting appellate review to issues raised in informal brief).

As for the dismissal of Roulhac's claim related to the quality of the food served at PCC, we have reviewed the record and find no reversible error. We affirm as to this issue for the reasons stated by the district court. Roulhac v. Clarke, No. 3:13-cv-00049-HEH (E.D. Va. Nov. 26, 2014). Additionally,

we find no abuse of discretion in the court's denial of Roulhac's motions for appointment of counsel. See Miller v. Simmons, 814 F.2d 962, 966 (4th Cir. 1987) (standard of review); Whisenant v. Yuam, 739 F.2d 160, 163 (4th Cir. 1984) (addressing circumstances requiring appointment of counsel in civil cases), abrogated on other grounds by Mallard v. U.S. Dist. Court, 490 U.S. 296 (1989).

Accordingly, we affirm the district court's judgment. 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