UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-7052

MIKE SETTLE,

Plaintiff – Appellant,

v.

MICHAEL SLAGER, sued in their individual and official capacities; NORTH CHARLESTON POLICE DEPARTMENT, sued in their individual and official capacities,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Richard M. Gergel, District Judge. (2:15-cv-01802-RMG)

Submitted: November 23, 2015 Decided: January 15, 2016

Before MOTZ, FLOYD, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Mike Settle, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mike Settle appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 42 U.S.C. § 1983 (2012) complaint. We have reviewed the record and find no reversible error. First, Settle's consent was not required before the district court referred to the magistrate judge for a non-dispositive ruling, and the district court appropriately conducted a de novo review of those portions of the report to which Settle objected. See 28 U.S.C. § 636(b) (2012). Moreover, as the district court held, Settle has no standing to assert the constitutional rights of a third party, see Archuleta v. McShan, 897 F.2d 495, 497 (10th Cir. 1990), and his state claim is likewise meritless. Accordingly, we affirm for the reasons stated by the district court. Settle v. Slager, No. 2:15-cv-01802-RMG (D.S.C. June 22, 2015). 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