

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1243

WAYNE PATTERSON,

Plaintiff - Appellant,

v.

LIEUTENANT R. T. YEAGER, individually and in his official capacity, South Charleston Police; JOHN DOE 1-7, seven unknown, individually and in their official capacities; MAGISTRATE JULIE YEAGER; L. S. THOMAS; R. P. MCFARLAND,

Defendants - Appellees,

and

CITY OF SOUTH CHARLESTON, WEST VIRGINIA, a municipal corporation; OFFICER T. A. BAILES, individually and in his official capacity, South Charleston Police; OFFICER A R. LINDELL, individually and in his official capacity, South Charleston Police,

Defendants.

No. 16-1350

WAYNE E. PATTERSON,

Plaintiff - Appellant,

v.

LIEUTENANT R. T. YEAGER, individually and in his official capacity, South Charleston Police; JOHN DOES 1-7, seven unknown, individually and in their official capacities; MAGISTRATE JULIE YEAGER; L. S. THOMAS; R. P. MCFARLAND,

Defendants - Appellees,

and

CITY OF SOUTH CHARLESTON, WEST VIRGINIA, a municipal corporation; OFFICER T. A. BAILES, individually and in his official capacity, South Charleston Police; OFFICER A R. LINDELL, individually and in his official capacity, South Charleston Police,

Defendants.

Appeals from the United States District Court for the Southern District of West Virginia, at Charleston. John T. Copenhaver, Jr., District Judge. (2:12-cv-01964)

Submitted: April 18, 2017

Decided: June 8, 2017

Before KING, SHEDD, and HARRIS, Circuit Judges.

No. 16-1243, affirmed, and No. 16-1350, affirmed in part and dismissed in part by unpublished per curiam opinion.

Wayne E. Patterson, Appellant Pro Se. Duane J. Ruggier, II, Drannon L. Adkins, Marc Alexander Rigsby, PULLIN, FOWLER, FLANAGAN, BROWN & POE, PLLC, Charleston, West Virginia; John Michael Hedges, HEDGES & LYONS, PLLC, Morgantown, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wayne E. Patterson appeals the jury verdict in Appellees' favor and the district court's entry of final judgment on that verdict, as well as the court's orders granting summary judgment in part and denying reconsideration. We have reviewed the record* and find no reversible error in the district court's orders granting summary judgment and denying reconsideration. Accordingly, we grant Patterson leave to proceed in forma pauperis and affirm for the reasons stated by the district court. *Patterson v. Yeager*, No. 2:12-cv-01964 (S.D.W. Va. Mar. 29, 2013; Feb. 11, 2016; Mar. 11, 2016; Mar. 15, 2016; Mar. 24, 2016).

Wayne also contends that the district court erred in awarding costs to Appellees. Although Appellees have presented a bill of costs to the district court, the court has not yet determined the amount of costs to be paid by Wayne. Thus, Wayne's challenge to the award of costs is interlocutory, and we dismiss this portion of the appeal. 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.

No. 16-1243, AFFIRMED;
No. 16-1350, AFFIRMED IN PART, DISMISSED IN PART

* We note that there is no transcript of the jury trial in the record before us. We may authorize the preparation of a transcript at government expense where the litigant proceeds in forma pauperis and shows the existence of a substantial question for appeal. 28 U.S.C. § 753(f) (2012). After reviewing Patterson's informal briefs and the record on appeal, we conclude that Patterson has not raised a substantial question regarding the trial-related issues he presents in his briefs. See *Handley v. Union Carbide Corp.*, 622 F. Supp. 1065, 1066 (S.D.W. Va. 1985) (defining substantial question).