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Doc. 406106463

UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 16-6135

SAMUEL JUNIOR JACKSON,

Plaintiff - Appellant,

v.

DR. SHER GULERIA,

Defendant - Appellee,

and

N.C. D.O.C. MEDICAL STAFF; DR. JOSEPH LIGHTSEY,

Defendants.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (5:11-ct-03221-F)

Submitted: May 31, 2016 Decided: July 13, 2016

Before MOTZ, WYNN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Samuel Junior Jackson, Appellant Pro Se. Kelly Street Brown, Elizabeth Pharr McCullough, YOUNG MOORE & HENDERSON, PA, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel Junior Jackson filed a 42 U.S.C. § 1983 (2012) complaint alleging that prison doctors Lightsey and Guleria were deliberately indifferent to his serious medical needs. The district court dismissed Jackson's complaint against the doctors for failure to state a claim. See Fed. R. Civ. P. 12(b)(6). We affirmed the dismissal of the claim against Lightsey, but vacated the dismissal of the claim against Guleria and remanded for further proceedings. Jackson v. Lightsey, 775 F.3d 170, 177-79 (4th Cir. 2014). On remand, the district court denied Jackson's motion for appointment of counsel and granted Guleria's motion for summary judgment. Jackson now appeals both orders.

We review a district court's denial of a motion for appointment of counsel in a civil case for abuse of discretion, Miller v. Simmons, 814 F.2d 962, 966 (4th Cir. 1987), and the "court's grant of summary judgment de novo, drawing reasonable inferences in the light most favorable to the non-moving party," Butler v. Drive Auto. Indus. of Am., Inc., 793 F.3d 404, 407 (4th Cir. 2015) (internal quotation marks omitted). We have reviewed the record in light of these standards and the arguments presented in Jackson's informal brief and have found no reversible error. See 4th Cir. R. 34(b). Accordingly, we

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affirm the district court's orders. <u>Jackson v. Guleria</u>, No. 5:11-ct-03221-F (E.D.N.C. June 1, 2015 & Jan. 20, 2016).

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