

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 19-6787

DOUGLAS E. SILVER,

Plaintiff - Appellant,

v.

KIM SCOTT, Asst. District Attorney; RENA SPELLMAN, Asst. District Attorney,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. Louise W. Flanagan, District Judge. (5:18-ct-03219-FL)

Submitted: July 16, 2019

Decided: July 19, 2019

Before MOTZ, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Douglas E. Silver, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Douglas E. Silver appeals the district court's order dismissing his 42 U.S.C. § 1983 (2012) complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) (2012). We have reviewed the record and find no reversible error. *See Kerr v. Marshall Univ. Bd. of Governors*, 824 F.3d 62, 75 n.13 (4th Cir. 2016) (“[W]e may affirm on any grounds supported by the record, notwithstanding the reasoning of the district court[.]”). Silver's claims against Appellees, both North Carolina state prosecutors, in their individual capacities are barred by absolute prosecutorial immunity. *See Safar v. Tingle*, 859 F.3d 241, 248-49 (4th Cir. 2017). Silver's claims against Appellees in their official capacities are barred by sovereign immunity. *See Nivens v. Gilchrist*, 444 F.3d 237, 249 (4th Cir. 2006). 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