

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1586

BRIAN H. CLARK,

Plaintiff - Appellant,

v.

ROB COLEMAN, Lieutenant, Sheriff's Office, Patrick County, Virginia,

Defendant - Appellee,

and

GERI S. HAZELWOOD, County Administration Building, Patrick County, Virginia; DANIEL M. SMITH, Sheriff, Patrick County, Virginia; DEPUTY RONNIE WILLIAMS, JR., Sheriff's Office, Patrick County, Virginia; DEPUTY DUSTIN DILLON, Sheriff's Office, Patrick County, Virginia; INVESTIGATOR TYLER WILSON, Sheriff's Office, Patrick County, Virginia; DEPUTY SHAWN KEFFER, Sheriff's Office.

Appeal from the United States District Court for the Western District of Virginia, at Danville. Michael F. Urbanski, Chief District Judge. (4:17-cv-00045-MFU-RSB)

Submitted: November 12, 2021

Decided: November 18, 2021

Before AGEE and RICHARDSON, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Brian H. Clark, Appellant Pro Se. Nathan Henry Schnetzler, FRITH, ANDERSON & PEAKE, PC, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Brian H. Clark appeals the district court's order granting in part his motion for attorney's fees and awarding attorney's fees and costs under 42 U.S.C. § 1988 and the court's order denying his Fed. R. Civ. P. 59(e) motion to alter or amend judgment. We have reviewed the record and conclude that the district court did not abuse its discretion in awarding attorney's fees and costs and denying Clark's Rule 59(e) motion. *See Mayfield v. Nat'l Ass'n for Stock Car Auto Racing, Inc.*, 674 F.3d 369, 378 (4th Cir. 2012) (stating standard for reviewing denial of Rule 59(e) motion); *Trimper v. City of Norfolk*, 58 F.3d 68, 69, 75, 77 (4th Cir. 1995) (stating standard for reviewing award under § 1988 of attorney's fees and costs). Accordingly, we affirm for the reasons stated by the district court. *Clark v. Coleman*, No. 4:17-cv-00045-MFU-RSB (W.D. Va. May 1 & 21, 2020).^{*} 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

^{*} We also reject as without merit Clark's argument on appeal that attorney's fees and costs should be paid directly to him. *See Kay v. Ehrler*, 499 U.S. 432, 437-38 (1991).