

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6175

CALVIN PERRY,

Plaintiff - Appellant,

v.

HAROLD CLARKE; WARDEN TIKKI HICKS,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. John A. Gibney, Jr., Senior District Judge. (3:21-cv-00447-JAG-MRC)

Submitted: September 28, 2023

Decided: October 3, 2023

Before NIEMEYER, THACKER, and RUSHING, Circuit Judges.

Affirmed in part, dismissed in part by unpublished per curiam opinion.

Calvin Perry, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Calvin Perry appeals the district court's order granting summary judgment to Defendants in his 42 U.S.C. § 1983 action alleging deliberate indifference to Perry's serious medical need, in violation of the Eighth Amendment. The district court denied relief on Perry's claims for damages and injunctive relief. Because Perry no longer resides in the correctional facility that formed the basis of his claim for injunctive relief, we dismiss the appeal with respect to that claim as moot. *See Rendelman v. Rouse*, 569 F.3d 182, 186-87 (4th Cir. 2009). With respect to Perry's claim for damages, we have reviewed the record and find no reversible error. Accordingly, we affirm the remainder of the district court's order. 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 IN PART,
DISMISSED IN PART*