

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6677

JOHNNIE FRAZIER,

Plaintiff - Appellant,

v.

LT. JUNE; OFC. MARTINEZ; LT. KIRKLAND; LT. MARQUEZ,

Defendants - Appellees,

and

MICHAEL MCCALL, Dir. of Programs; OFC. HUNTER; SGT. WILLIAMS; CPL.
WILSON; LT. BOWMAN; SGT. BOZWELL; NURSE BROWN; NURSE
IRVING; NURSE TOMAS,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Aiken.
Cameron McGowan Currie, Senior District Judge. (1:14-cv-01091-CMC)

Submitted: March 30, 2017

Decided: April 11, 2017

Before WILKINSON, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Johnnie Frazier, Appellant Pro Se. Lisa Arlene Thomas, THOMPSON & HENRY, PA,
Conway, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Johnnie Frazier appeals the district court's judgment following a jury trial on his 42 U.S.C. § 1983 (2012) action. On appeal, Frazier requests the trial transcript, asserts that the district court erred in allowing the introduction of prior bad acts evidence, and contends that he was not permitted to decontaminate following the guards' use of pepper spray on him, a claim of excessive force.

An appellant proceeding on appeal in forma pauperis is entitled to transcripts at government expense only in certain circumstances. 28 U.S.C. § 753(f) (2012). Frazier's general allegations fail to demonstrate "a substantial question warranting the production of a transcript at government expense." *Williams v. Ozmint*, 716 F.3d 801, 811 (4th Cir. 2013). Moreover, we will not reweigh the evidence or second-guess the jury's credibility determinations, *United States v. Kivanc*, 714 F.3d 782, 795 (4th Cir. 2013), so we will not disturb the jury's verdict on the excessive force claim. Finally, as the events at issue occurred in a prison during a tussle with guards, we discern no prejudice from the admission of Frazier's criminal or disciplinary record.

As no error appears on the record before us, 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 in the decisional process.

AFFIRMED