

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

# United States Court of Appeals For the First Circuit

---

No. 01-1633

JOHN W. BERRY,  
Plaintiff, Appellant,

v.

WILLIAM D. DELAHUNT, ET AL.,  
Defendants, Appellees.

---

APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
[Hon. Patti B. Saris, U.S. District Judge]

---

Before

Torruella, Circuit Judge,  
Stahl, Senior Circuit Judge,  
and Lynch, Circuit Judge.

---

John W. Berry on brief pro se.  
Thomas F. Reilly, Attorney General and James J. Arguin,  
Assistant Attorney General, on brief for appellees.

---

December 12, 2001

---

Per Curiam. Pro se appellant John W. Berry appeals from the district court's order dismissing his 42 U.S.C. § 1983 action against certain Massachusetts state district attorneys. In his action, Berry sought dismissal of criminal charges now pending against him in state court. After review of the parties' brief and the record, we affirm, substantially for the reasons given by the magistrate judge in his report and recommendation dated February 5, 2001, which the district court adopted in its decision dated March 19, 2001.

Affirmed. See Loc. R. 27(c).