

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

**United States Court of Appeals
For the First Circuit**

No. 99-1611

DAVID B. ROWE,
Plaintiff, Appellant,

v.

SUPERINTENDENT, MERRIMACK COUNTY JAIL,
Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW HAMPSHIRE

[Hon. Steven J. McAuliffe, U.S. District Judge]

Before

Lynch, Circuit Judge,
Bownes, Senior Circuit Judge,
and Lipez, Circuit Judge.

David B. Rowe on brief pro se.
Donald E. Gardner and Devine, Millimet & Branch on brief for
appellee.

March 31, 2000

Per Curiam. David B. Rowe appeals the district court judgment granting the defendant's motion for summary judgment. Upon de novo review, see Anderson v. Angelone, 123 F.3d 1197, 1198 (9th Cir. 1997), we affirm the judgment below, essentially for the reasons stated in the district court's order, dated April 13, 1999. We add only that the district court did not abuse its discretion in denying Rowe's motion for appointment of counsel and in granting defendant an extension of time in which to file her motion for summary judgment.

Affirmed.

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