

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

NO. 07-1991

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PHILIP GREGORY MADDELIN,

Appellant

v.

DENNIS LEVINGSTON, Executive Freeholder  
of Atlantic County; RICHARD MULVIHILL,  
Department Head of Public Safety;  
GARY MERLINE, Warden of Atlantic County  
Justice Facility

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On Appeal From the United States District Court  
For the District of New Jersey  
(D.C. Civ. No. 06-CV-01054)  
District Judge: Honorable Robert B. Kugler

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Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B)  
July 26, 2007

Before: RENDELL, SMITH AND JORDAN, CIRCUIT JUDGES

(Filed August 21, 2007)

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OPINION

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PER CURIAM

Philip Gregory Maddelin appeals from an order of the United States District Court

for the District of New Jersey, granting defendants' motion for summary judgment in his civil rights case.

Maddelin filed his complaint while he was incarcerated at the Atlantic County Justice Facility as a pretrial detainee. He alleged that defendants deprived him of his constitutional right of access to the courts when they closed the jail's law library and instead substituted a policy by which an inmate could request cases relating to the inmate's current incarceration.

As the District Court properly noted, in order to show a constitutional violation of the right of access to the courts, an inmate must show an "actual injury" as a result of the alleged shortcomings in the prison legal library or legal assistance program. Lewis v. Casey, 518 U.S. 343, 351 (1996). Maddelin made absolutely no allegations showing that he was injured by the system in place in the county jail. The District Court thus properly granted the defendants' motion for summary judgment.

For the foregoing reasons, we will dismiss the appeal pursuant to 28 U.S.C. § 1915(e)(2).