

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7739**

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FRANK BOSTON,

Plaintiff - Appellant,

v.

WARDEN A. J. PADULA, Lee Correctional Institution; MS.  
LIVINGSTON, Law Librarian at Lee Correctional Institution,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Beaufort. Patrick Michael Duffy, District  
Judge. (9:07-cv-00950-PMD)

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Submitted: April 24, 2008

Decided: April 28, 2008

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Before KING and SHEDD, Circuit Judges, and WILKINS, Senior Circuit  
Judge.

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Affirmed by unpublished per curiam opinion.

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Frank Boston, Appellant Pro Se. John Betts McCutcheon, Jr., Lisa  
Arlene Thomas, MCCUTCHEON, MCCUTCHEON & BAXTER, PA, Conway, South  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Frank Boston appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) action and a subsequent order denying his motion to alter or amend judgment. We have reviewed the record and the district court's opinion declining to accept the magistrate judge's recommendation and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Boston v. Padula, No. 9:07-cv-00950-PMD (D.S.C. Oct. 10 & Nov. 1, 2007). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED