

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6264**

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MICHAEL MCNEILL,

Plaintiff - Appellant,

v.

FRANK STAMPER,

Defendant - Appellee,

and

SERGEANT KINNEY; ATLANTIC DIAGNOSTIC OF DURHAM; NC DOC  
DIRECTOR,

Defendants.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Charlotte. Graham C. Mullen,  
Senior District Judge. (3:08-cv-00162-GCM)

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Submitted: April 16, 2009

Decided: April 27, 2009

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Before WILKINSON, NIEMEYER, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Michael McNeill, Appellant Pro Se. Elizabeth Pharr McCullough,  
Kelly Elizabeth Street, YOUNG, MOORE & HENDERSON, PA, Raleigh,  
North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael McNeill appeals the district court's order denying his motion for reconsideration of the court's previous order denying relief on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. McNeill v. Stamper, No. 3:08-cv-00162-GCM (W.D.N.C. Feb. 3, 2009). We deny McNeill's motion for appointment of counsel. 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