

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 19-6642**

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WALTER DELANEY BOOKER, JR.,

Plaintiff - Appellant,

v.

M. E. ENGELKE, Director of Food Services; N. GREGG, State Dietitian; H. PONTON, Regional Administrator, Western; L. FLEMING, Warden; M. BROYLES, FOMB; Q. REYNOLDS, Unit Manager; J. COMBS, Assistant Warden; BRYANT, Sergeant; CHOW HALL OFFICERS, C and D side; WITT, Correctional Officer; MARCUS ELAM, Regional Administrator, Western; SGT. KIMBERLIN; E. PEARSON, Warden-Greensville; A. ANDERSON, GCC Food Operations Director; CREQUE, GCC Food Services Manager; S. TAPP, GCC Ombudsman; K. PHILLIPS, GCC Ombudsman,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (7:16-cv-00084-JLK-RSB)

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Submitted: September 29, 2020

Decided: December 3, 2020

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Before NIEMEYER, DIAZ, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Walter Delaney Booker, Jr. Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Walter Delaney Booker, Jr., appeals the district court's orders granting Defendants' motions for summary judgment in Booker's action filed pursuant to 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc to 2000cc-5. After reviewing the record, we are satisfied that, even assuming the Defendants' policies substantially burdened Booker's free exercise rights under the Religious Land Use and Institutionalized Persons Act and the First Amendment, the policies were reasonably related to the prison's legitimate penological interests in balancing inmates' religious dietary restrictions with the agency's operational, budgetary, and administrative concerns, and so affirm on that basis. On all other claims, we affirm for the reasons stated by the district court. *Booker v. Engelke*, No. 7:16-cv-00084-JLK-RSB (W.D. Va., Mar. 22, 2018 & Mar. 26, 2019). We further deny Booker's motion for injunctive relief pending appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*