

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-6917

MILTON TOWNSEND,

Plaintiff - Appellant,

versus

BRUCE E. KENNEY,

Plaintiff,

and

CORRECTIONAL OFFICER EDMONDSON; OFFICER MONK,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (3:05-cv-00440-RLW)

Submitted: November 1, 2006

Decided: November 16, 2006

Before WILLIAMS, MICHAEL, and GREGORY, Circuit Judges.

Vacated and remanded by unpublished per curiam opinion.

Milton Townsend, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Milton Townsend appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and conclude that the judgment should be vacated and the case remanded to the district court for the Defendants to file a responsive pleading and for further proceedings.

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.

VACATED AND REMANDED