

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7628

LARRY GENE MARTIN,

Plaintiff - Appellant,

versus

AMY STACK,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Florence. Margaret B. Seymour, District Judge. (4:05-cv-02309-MBS)

Submitted: April 27, 2007

Decided: May 10, 2007

Before MICHAEL, SHEDD, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Larry Gene Martin, Appellant Pro Se. Benjamin Albert Barody, Samuel F. Arthur, III, AIKEN, BRIDGES, NUNN, ELLIOTT & TYLER, PA, Florence, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Larry Gene Martin appeals the district court's order rejecting the recommendation of the magistrate judge and granting summary judgment in favor of the Appellee in Martin's action filed pursuant to 42 U.S.C. § 1983 (2000). Martin also appeals the district court's order denying his Fed. R. Civ. P. 59(e) motion. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Martin v. Stack, No. 4:05-cv-02309-MBS (D.S.C. July 28, 2006; filed Sept. 11, 2006 & entered Sept. 12, 2006). We deny Martin's petition for a writ of mandamus. 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