

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-6910**

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RICKEY NELSON SPENCER,

Plaintiff - Appellant,

and

SHEENA SPENCER,

Plaintiff,

versus

TERRY ELMORE; DAVID PRIVETTE, Sergeant;  
LIEUTENANT MEYER; SERGEANT HAWKINS; RODERICK  
M. WRIGHT, Attorney; W. ERWIN SPAINHOUR,  
Judge; CHRISTOPHER M. COLLIER; JIM ELMORE;  
IREDELL COUNTY; STATE OF NORTH CAROLINA,

Defendants - Appellees.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Statesville. Graham C. Mullen,  
Senior District Judge. (5:07-cv-00055-MU)

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Submitted: October 31, 2007

Decided: February 26, 2008

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Before WILKINSON and NIEMEYER, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Rickey Nelson Spencer, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rickey Nelson Spencer appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Spencer v. Elmore, No. 5:07-cv-00055-MU (W.D.N.C. June 7, 2007). We further deny Spencer's motion for discovery. 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