

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7316**

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EMMETT BARKLEY,

Plaintiff - Appellant,

versus

SERGEANT PIERCE; CORRECTIONAL OFFICER SHANK;  
DAN DEVAROE, Correctional Officer II,

Defendants - Appellees.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, District Judge. (1:07-cv-01974-JFM)

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Submitted: January 17, 2008

Decided: January 25, 2008

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Before TRAXLER, SHEDD, and DUNCAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Emmett Barkley, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Emmett Barkley appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint under 28 U.S.C. § 1915(e)(2)(B) (2000). We have reviewed the record and find that this appeal is frivolous. Accordingly, we dismiss the appeal for the reasons stated by the district court. Barkley v. Pierce, No. 1:07-cv-01974-JFM (D. Md., Aug. 21, 2007). We further deny as moot Barkley's motion for expedited adjudication of this appeal. 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.

DISMISSED