

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7401**

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ERIC L. TOLBERT,

Plaintiff - Appellant,

versus

LIEUTENANT BURKE; SERGEANT WILLIAMS;  
CORRECTIONAL OFFICER BRUMELL; CORRECTIONAL  
OFFICER PHIFER; CORRECTIONAL OFFICER ROYSTER;  
CORRECTIONAL OFFICER MOONY; CORRECTIONAL  
OFFICER FIELDS; CORRECTIONAL OFFICER MELTON;  
DENNIS ROWLAND; CAPTAIN AUSTIN,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. Louise W. Flanagan, Chief  
District Judge. (5:06-ct-03077)

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Submitted: January 8, 2008

Decided: January 16, 2008

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Before WILKINSON and MICHAEL, Circuit Judges, and WILKINS, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Eric L. Tolbert, Appellant Pro Se. Yvonne Bulluck Ricci, NORTH  
CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric L. Tolbert appeals the district court's order granting summary judgment to the defendants on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Tolbert v. Burke, No. 5:06-ct-03077-FL (E.D.N.C. Aug. 15, 2007). 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