

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 07-7567

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JOSEPH SHAW, a/k/a Jelani Husani Simba,

Plaintiff - Appellant,

and

CARL GENE BALLARD; NATHAN PHILLIPS, JR.,

Plaintiffs,

v.

JAMES BAXTER HUNT, JR.; MACK JARVIS; DANIEL L. STIENEKE; RUBY S. BRANDON; JACK V. TURLINGTON; RANNY FUTRELL; R. R. RIVENBARK; JAMES BYRUM; TRACY LEE UNDERWOOD; D. WALKER; SERGEANT CORBETT-MOORE; S. MURPHY; DAVID SOMESE; CORR OFFICER CORRECTIONAL OFFICER, PHIPPS; R. R. RIVENBARK; S. COLLINS; STEWART, Correctional Officer; JOSEPH LABELL; SERGEANT SUTTON; D. LEWIS; MICHAEL T. BELL,

Defendants - Appellees

and

LIEUTENANT AUTRY; GEROCHA R. SPAIN; J. BAKER WILLIAMS; JACKIE BANNERMAN; RAY KRYNICKI; T. THELMA SMITH; AGNES J. ALLER, Nurse; CATHY S. DIXON; W. THOMPSON; JOANNE WISE; MICHAEL EDWARDS

Defendants.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (5:98-ct-000691-F)

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Submitted: April 17, 2008

Decided: April 21, 2008

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Before WILKINSON, NIEMEYER, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Joseph Shaw, Appellant Pro Se. William McBlief, Elizabeth F. Parsons, William Dennis Worley, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina; Charles T. Cunningham, PEEBLES & SCHRAMM, Winston-Salem, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Shaw appeals the district court's order accepting the recommendation of the magistrate judge in part and denying relief 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. Shaw v. Hunt, No. 5:98-ct-000691-F (E.D.N.C. Sept. 26, 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