

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7567

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 SOMEESE; 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; GEROTHA 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.

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)

Submitted: April 17, 2008

Decided: April 21, 2008

Before WILKINSON, NIEMEYER, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

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.

Unpublished opinions are not binding precedent in this circuit.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