

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-7156**

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ROY L. SMITH,

Plaintiff - Appellant,

v.

MS REDFEARN MILLER, Grievance Officer at Evans CI,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Beaufort. Henry F. Floyd, District Judge. (9:07-cv-01774-HFF)

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Submitted: October 14, 2008

Decided: October 20, 2008

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Before KING, GREGORY, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Roy L. Smith, Appellant Pro Se. John Evans James, III, JOHN E. JAMES II LAW OFFICE, Winnsboro, South Carolina; Lucy Grey Wilson McIver, LEE, ERTER, WILSON, JAMES, HOLLER & SMITH, LLC, Sumter, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roy L. Smith appeals the district court's order accepting the recommendation of the magistrate judge 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. Smith v. Miller, No. 9:07-cv-01774-HFF (D.S.C. June 16, 2008). We deny Smith's motion for appointment of counsel. 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