

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  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

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**No. 08-7516**

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WALTER DUANE WHITE,

Plaintiff - Appellant,

v.

JOYCE FRANCIS, Warden; VALORIE RAPPOLD, A.W. Operations; MATT ARNOLD, Captain; SLIGER, Lt. Security; DEBORAH LIVINGSTON, Disciplinary Hearing Officer (D.H.O.); WILSON, Assistant Food Service Administrator; MRS. VELTYRY, A-Unit Manager (Coordinator Job Assignments); MARK DIB, Lt., Physicians Assistant; MRS. FRYE, Food Service Correctional Officer; MRS. HILTON, Food Service Correctional Officer; ROBERT SPEARS,

Defendants - Appellees,

and

UNITED STATES OF AMERICA; DEPARTMENT OF JUSTICE; FEDERAL BUREAU OF PRISONS; FEDERAL CORRECTIONAL INSTITUTION, GILMER,

Defendants.

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Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Irene M. Keeley, District Judge. (1:07-cv-00032-IMK-JSK)

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Submitted: April 22, 2009

Decided: May 13, 2009

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Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Walter Duane White, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Walter Duane White appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). We have reviewed the record and find no reversible error. Accordingly, we deny White's motion for appointment of counsel and affirm for the reasons stated by the district court. White v. Francis, No. 1:07-cv-00032-IMK-JSK, 2008 WL 2705102 (N.D. W. Va. July 9, 2008). 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