

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8317

HARVEY P. SHORT,

Plaintiff - Appellant,

v.

PRIME CARE MEDICAL; CORRECTIONAL OFFICER FRED; DR CORDER,
Psychiatrist; CORRECTIONAL OFFICER BUSH; NURSE; CORRECTIONAL
OFFICER TERRY; CORRECTIONAL OFFICER BARRY; LIEUTENANT
ROGERS; JOHN MCKAY, Jail Administrator; DAVID FARMER,
Counselor Supervisor; LAVANA DAVIS-HARVEY, Counselor;
SERGEANT THOMPSON; SERGEANT BINOIN; SERGEANT ATKINS; MARK
BECK, Physician Assistant; SOUTH CENTRAL REGIONAL JAIL,

Defendants - Appellees.

Appeal from the United States District Court for the Southern
District of West Virginia, at Charleston. Joseph R. Goodwin,
Chief District Judge. (2:06-cv-00933)

Submitted: March 17, 2009

Decided: March 23, 2009

Before TRAXLER, KING, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Harvey P. Short, Appellant Pro Se. Joseph Dustin Dillard, John
Dorsey Hoffman, FLAHERTY, SENSABAUGH & BONASSO, PLLC,
Charleston, West Virginia; Chad Marlo Cardinal, Assistant
Attorney General, Charleston, West Virginia; Mark William
Browning, David L. Shuman, Sr., SHUMAN, MCCUSKEY & SLICER, PLLC,
Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Harvey P. Short appeals the district court's order accepting the recommendation of the magistrate judge and denying Short's motion for reconsideration of the order dismissing his 42 U.S.C. § 1983 (2000) complaint without prejudice for failure to exhaust administrative remedies. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Short v. Prime Care Medical, No. 2:06-cv-00933 (S.D.W. Va. Oct. 17, 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