

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6647**

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KEVIN JOHNSON,

Plaintiff - Appellant,

v.

V. PHIPPS, Nursing Director, Red Onion State Prison; J. KISER, Captain Prison Guard, Red Onion State Prison; DEWAYNE TURNER, Prison Guard, Lieutenant, Red Onion State Prison; RONALD FOWLER, Prison Guard, Lieutenant, Red Onion State Prison; JAMES BENTLEY, Prison Guard, Red Onion State Prison; SHANNON LONG, Prison Guard, Red Onion State Prison; D. MOONEY, Prison Guard, Red Onion State Prison; PHILLIPS, Prison Guard, Red Onion State Prison; RANDY PHIPPS, Prison Guard, Red Onion State Prison; MCCOWAN, Prison Guard, Red Onion State Prison; L. LYALL; R. HUNSUCKER; J. BOYD; J. LAMBERT; E. WILLIAMS; A. NARRAMORE; J. MULLINS; A. H. STILTNER; DURWARD E. NARRAMORE; J. ELY, Prison Guard, Red Onion State Prison,

Defendants - Appellees,

and

MARK R. WARNER, Governor of Virginia; RONALD J. ANGELONE, Virginia Department of Corrections; GENE JOHNSON, Director, Virginia Department of Corrections; T. C. BROWN, Ombudsman Services Manager, Virginia Department of Corrections; INSPECTOR GENERAL, Virginia Department of Corrections; TRACY RAY, Warden, Red Onion State Prison; DANIEL BRAXTON, Warden, Red Onion State Prison; JERRY ARMENTROUT, Assistant Warden, Red Onion State Prison; TERIE PHIPPS, Licensed Practical Nurse, Red Onion State Prison; STILTNER, Licensed Practical Nurse, Red Onion State Prison; RICHARD ROWLETTE, Security Chief, Red Onion State Prison; RICHARD FLEMING, Security Chief, Red Onion State Prison; SMIDDY HARRISON, Prison Guard, Lieutenant, Red Onion State Prison; KEVIN MCCOY, Prison Guard, Lieutenant, Red Onion State Prison; LARRY COX,

Prison Guard, Lieutenant, Red Onion State Prison; J. ROBINSON, Prison Guard, Lieutenant, Red Onion State Prison; RICHARD ROSE, Prison Guard, Lieutenant, Red Onion State Prison; J. HILLYER, Prison Guard, Sergeant, Red Onion State Prison, Sergeant; SCOTT DEEL, Prison Guard, Sergeant, Red Onion State Prison; GREGORY CHILDRESS, Prison Guard, Sergeant, Red Onion State Prison; TRAVIS MCCOY, Prison Guard, Sergeant, Red Onion State Prison; DELMER TATE, Prison Guard, Sergeant, Red Onion State Prison; JOHN WOOD, Prison Guard, Sergeant, Red Onion State Prison; DANIEL MCCOWAN, Prison Guard, Red Onion State Prison; M. FLEMING, Prison Guard, Red Onion State Prison; RANDALL CANTRELL, Prison Guard, Red Onion State Prison; LARRY COLLINS, Prison Guard, Red Onion State Prison; MULLINS, Prison Guard, Red Onion State Prison; G. MULLINS, Prison Guard, Red Onion State Prison; TILLER, Prison Guard, Red Onion State Prison; S. WHITE, Prison Guard, Red Onion State Prison; W. SYKES, Prison Guard, Red Onion State Prison; E. FLEMING, Prison Guard, Red Onion State Prison; JOSEPH RASNICK, Prison Guard, Red Onion State Prison; KEITH COUNTS, Prison Guard, Red Onion State Prison; ; J. STANLEY, Prison Guard, Red Onion State Prison; JOE FANNIN, Prison Guard, Sergeant, Red Onion State Prison; T. AUSTIN, Prison Guard, Red Onion State Prison; RANDY BOYD, Prison Guard, Red Onion State Prison; S. BOYD, Prison Guard, Red Onion State Prison; STANLEY YOUNG, Warden, Wallens Ridge State Prison; ADAM HARVEY, Assistant Ward, Wallens Ridge State Prison; T. YATES, Prison Guard, Red Onion State Prison; C. JANEWAY, Prison Guard, Captain, Red Onion State Prison; DAVID TAYLOR, Prison Guard Captain, Wallens Ridge State Prison; MICHAEL HUTCHINSON, Investigator, Wallens Ridge State Prison; JAMES WIANDT, Investigator, Wallens Ridge State Prison; JEFFREY HEAD, Prison Guard, Sergeant, Wallens Ridge State Prison; A. GALLIMAR, Prison Guard, Lieutenant, Wallens Ridge State Prison; MEYER, Prison Guard, Lieutenant, Wallens Ridge State Prison; MATTHEW HAMILTON, Prison Guard, Sergeant, Wallens Ridge State Prison; JEFFREY COMPTON, Prison Guard, Lieutenant, Wallens Ridge State Prison; COLLINS, Prison Guard, Sergeant, Wallens Ridge State Prison; EWING, Prison Guard, Sergeant, Wallens Ridge State Prison; SWORD; G. SEXTON, Prison Guard, Wallens Ridge State Prison; KEVIN YOUNG, Prison Guard, Wallens Ridge State Prison; GILLEY; VORP; J. HURLEY, Prison Guard, Wallens Ridge State Prison; B. STURGILL, Prison Guard, Wallens Ridge State Prison; RUSTY GOINS, Prison Guard, Wallens Ridge State Prison; HUGHES, Prison Guard, Wallens Ridge State Prison; G. BAILEY, Prison Guard, Wallens Ridge State Prison; I. HAMILTON, Prison

Guard, Wallens Ridge State Prison; P. HARLESS; G. DEEL;  
D. LESTER; FRANKLIN, Prison Guard, Red Onion State Prison;  
DANNY DAMRON, Prison Guard, Red Onion State Prison;  
J. SMITH, Prison Guard, Red Onion State Prison;  
G. KENDRICK,

Defendants.

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Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. James P. Jones, Chief  
District Judge. (7:05-cv-00219-JPJ-PMS)

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Submitted: May 20, 2010

Decided: June 16, 2010

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Before MOTZ, KING, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Kevin Johnson, Appellant Pro Se. Charles L. Downs, Jr.,  
WOOTENHART, PLC, Roanoke, Virginia; Susan Bland Curwood, Mark R.  
Davis, John Michael Parsons, Banci Enga Tewolde, Assistant  
Attorneys General, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin Johnson appeals the district court's orders entered in accordance with the jury's verdict and denying his post-judgment motions in this 42 U.S.C. § 1983 (2006) action. We have reviewed the record and find no reversible error. Accordingly, we affirm. 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. The motions for a writ of habeas corpus, for release pending appeal, to grant in forma pauperis status free of the terms of the PLRA, and to extend filing time are denied.

AFFIRMED