

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7743**

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JOHNNIE GATHERS,

Plaintiff - Appellant,

v.

DEPARTMENT OF CORRECTIONAL; LIEUTENANT BRAYBOY; SERGEANT  
HEYWARD; SERGEANT JONES; OFFICER MORRIS, all sued in their  
individual capacity,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Beaufort. Henry M. Herlong, Jr., Senior  
District Judge. (9:09-cv-00035-HMH)

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Submitted: December 17, 2009

Decided: January 7, 2010

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Before WILKINSON, NIEMEYER, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Johnnie Gathers, Appellant Pro Se. Bradford Cary Andrews,  
Samuel F. Arthur, III, AIKEN, BRIDGES, NUNN, ELLIOTT & TYLER,  
PA, Florence, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Johnnie Gathers appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his 42 U.S.C. § 1983 (2006) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Gathers v. Dep't of Corr., No. 9:09-cv-00035-HMH (D.S.C. Sept. 2, 2009). We deny Gathers' motion for injunctive relief and his "default motion taken against defendants." 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