

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7821

RICKEY SMITH,

Plaintiff - Appellant,

v.

T. BURNELL, Sergeant; JOHN DOE, Lieutenant; SOUTH CAROLINA
DEPARTMENT OF CORRECTIONS,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Florence. Terry L. Wooten, District Judge.
(4:08-cv-01089-TLW)

Submitted: January 19, 2010

Decided: January 28, 2010

Before NIEMEYER, KING, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Rickey Smith, Appellant Pro Se. Janet Carol Brooks, Daniel Roy
Settana, Jr., MCKAY, CAUTHEN, SETTANA & STUBLEY, PA, Columbia,
South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rickey Smith 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. Smith v. Burnell, No. 4:08-cv-01089-TLW (D.S.C. Aug. 26, 2009). 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