

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-8249

CECIL SIMMONS,

Plaintiff - Appellant,

v.

DIRECTOR OZMINT; CAPTAIN BRIHART; DEBORAH ROWE, Hearing
Officer; MR. BURTT,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. R. Bryan Harwell, District
Judge. (6:08-cv-00860-RBH)

Submitted: May 20, 2010

Decided: May 25, 2010

Before WILKINSON, NIEMEYER, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Cecil Simmons, Appellant Pro Se. William Henry Davidson, II,
Matthew Blaine Rosbrugh, DAVIDSON, MORRISON & LINDEMANN, PA,
Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cecil Simmons 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 deny Simmons's motion for appointment of counsel and affirm for the reasons stated by the district court. Simmons v. Ozmint, No. 6:08-cv-00860-RBH (D.S.C. Dec. 4, 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