

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6456

WILLIAM CLAYTON MCKINNEDY, III,

Plaintiff - Appellant,

v.

MRS. CECIL REYNOLDS, Warden at Kershaw Correctional Institution and et al.; MR. ROBERT E. WARD, a/k/a Bob Ward; JON OZMINT; MARK SANFORD; MIKE FAIR; HENRY DARGAN MCMASTER; MS. MARY COLEMAN; MS. SANDRA BOWIE; MS. A. HARDIN; MRS. A. SELLERS; JEROME ARMSTRONG; MR. SYLVESTA ROBINSON, Investigator; JAMES WAKELEY; BECKWITH, NFN; JAMES BAYTES; ROBERT HUGGINS, a/k/a Bob Huggins; JERRY WASHINGTON; T. SMITH; MRS. PRICE, Contraband Sgt of Palmetto; SEWARD; NFN DUBOSE; PATRICIA CAUDLE, Officer at Medical; DAVID M. TATARSKY; ROBERT WESLEY JACOBS; OSCAR FAULKENBERRY; CAPTAIN THOMAS, Kershaw Correctional Institution; DANIEL J. MURPHY, Inspector General of SCDC; LINDA J. MARTIN, OPNS, Secretary General Counsel, SCDC's headquarters; DENNIS PATTERSON, SCDC General Counsel Office,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., Senior District Judge. (6:08-cv-03169-HMH)

Submitted: August 26, 2010

Decided: September 2, 2010

Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

William Clayton McKinney, III, Appellant Pro Se. Steven
Michael Pruitt, MCDONALD, PATRICK, TINSLEY, BAGGETT & POSTON,
Greenwood, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Clayton McKinney, III, appeals the district court's orders substantially accepting the recommendation of the magistrate judge and denying relief on his 42 U.S.C. § 1983 (2006) complaint and denying his motion for reconsideration.* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. McKinney v. Reynolds, No. 6:08-cv-03169-HMH (D.S.C. Feb. 5, 2010). We deny McKinney's motion for appointment of counsel and 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

* Because the case was dismissed on summary judgment, the district court did not adopt the magistrate judge's recommendation to count the dismissal as a "strike" for purposes of the Prison Litigation Reform Act, 28 U.S.C. § 1915 (2006).