

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-7189**

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JOSEPH HUGO GIBBS,

Plaintiff - Appellant,

v.

JON E. OZMINT, as the Director of SCDC, et al.; RESPONDEAT  
SUPERIOR,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Patrick Michael Duffy, Senior  
District Judge. (3:08-cv-03955-PMD)

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Submitted: March 31, 2011

Decided: April 5, 2011

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Before NIEMEYER, SHEDD, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Joseph Hugo Gibbs, Appellant Pro Se. James M. Davis, Jr.,  
DAVIDSON & LINDEMANN, PA, Columbia, South Carolina, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Hugo Gibbs appeals the district court's orders accepting the recommendations of the magistrate judge and denying Gibbs' motion to remand to state court and dismissing Gibbs' 42 U.S.C. § 1983 (2006) complaint. Additionally, Gibbs appeals the district court's margin order denying his motion for rehearing, but granting in part his motion to amend judgment to reflect dismissal without prejudice. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Gibbs v. Ozmint, No. 3:08-cv-03955-PMD (D.S.C. Aug. 5, 2009; July 26, 2010; filed Aug. 5, 2010 & entered Aug. 6, 2010). 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