

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-6360**

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MIGUEL ANGEL DELGADO,

Plaintiff - Appellant,

v.

DAVID BALLARD; CLARENCE J. RIDER; JAMES MCCLOUD; CHARLENE  
SOTAK, Sued in their Official and Individual capacity,

Defendants - Appellees.

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Appeal from the United States District Court for the Southern  
District of West Virginia, at Charleston. John T. Copenhaver,  
Jr., District Judge. (2:09-cv-01252)

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Submitted: November 2, 2012

Decided: November 7, 2012

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Before WILKINSON, KEENAN, and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Miguel Angel Delgado, Appellant Pro Se. Dwayne Edward Cyrus,  
Jason Eric Wandling, SHUMAN, MCCUSKEY & SLICER, PLLC,  
Charleston, West Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Miguel Angel Delgado 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 his motion for appointment of counsel and affirm for the reasons stated by the district court. Delgado v. Ballard, No. 2:09-cv-01252 (S.D.W. Va. Feb. 10, 2012). 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