

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 15-6471**

---

ANDREW DRAYTON, JR.,

Plaintiff - Appellant,

v.

STATE, etc,

Defendant - Appellee.

---

Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Richard M. Gergel, District Judge. (0:14-cv-01548-RMG)

---

Submitted: January 21, 2016

Decided: February 5, 2016

---

Before MOTZ, KING, and AGEE, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Andrew Drayton, Jr., Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Andrew Drayton, Jr., appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his 42 U.S.C. § 1983 (2012) complaint without prejudice.\* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Drayton v. State, No. 0:14-cv-01548-RMG (D.S.C. July 3, 2014). We deny Drayton's motion to expedite as moot and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

---

\* This case has recently been returned to this court after a limited remand for a timeliness determination. The district court has granted Drayton's motion to reopen the appeal period.