

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-6651

RICHARD L. DAVIDSON,

Plaintiff - Appellant,

v.

HEARINGS OFFICER FRANKS, employed at Wallens Ridge State Prison;
WARDEN CARL A. MANIS, Wallens Ridge State Prison; MARCUS S. ELAM;
JOHN DOE, employed by Virginia Department of Corrections,

Defendants - Appellees.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Thomas T. Cullen, District Judge. (7:20-cv-00169-TTC-RSB)

Submitted: November 12, 2021

Decided: December 13, 2021

Before RICHARDSON and QUATTLEBAUM, Circuit Judges, and TRAXLER, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Richard L. Davidson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Richard L. Davidson appeals the district court's order denying relief on his 42 U.S.C. § 1983 complaint. We have reviewed the record and find no reversible error. We conclude that Davidson was not denied due process at his disciplinary hearing, and the hearings officer's decision was supported by some evidence. *See Superintendent, Mass. Corr. Inst., Walpole v. Hill*, 472 U.S. 445, 454 (1985) (describing court's review of evidence in disciplinary hearings); *Lennear v. Wilson*, 937 F.3d 257, 268 (4th Cir. 2019) (stating due process requirements at disciplinary hearings). We further conclude that Davidson failed to exhaust his retaliatory-transfer claim by not using the Offender Grievance Procedure. *See Woodford v. Ngo*, 548 U.S. 81, 85-93 (2006) (describing exhaustion requirements). Lastly, we conclude that Davidson was not prejudiced by the court's omission in not ruling on his request for a transcript of the audio recording of the disciplinary hearing at his expense. *Strag v. Bd. of Trs.*, 55 F.3d 943, 954 (4th Cir. 1995). Accordingly, we affirm. We 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