

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-6358

RICARDO FISHBURNE,

Plaintiff - Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS; A/W ANNE SHEPPARD; WARDEN BRIAN KENDELL; A/W CLARK; DIRECTOR BRIAN STIRLING; SERGEANT HOWARD; CLASSIFICATION RAVENEL; SLED,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Anderson. Timothy M. Cain, District Judge. (8:21-cv-03542-TMC)

Submitted: February 27, 2024

Decided: February 29, 2024

Before WILKINSON, WYNN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Ricardo Fishburne, Appellant Pro Se. Andrew Lindemann, LINDEMANN LAW FIRM, P.A., Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ricardo Fishburne appeals the district court's order accepting the recommendation of the magistrate judge and granting summary judgment to Defendants in Fishburne's 42 U.S.C. § 1983 action, and a subsequent text order denying reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's orders.* *Fishburne v. S.C. Dep't of Corr.*, No. 8:21-cv-03542-TMC (D.S.C. Mar. 8, 2023; Apr. 10, 2023). We grant Fishburne's motion to supplement his informal opening brief. 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

* To the extent Fishburne appeals the denial of his motion for a restraining order, such denials are generally not appealable. *See Virginia v. Tenneco, Inc.*, 538 F.2d 1026, 1029-30 (4th Cir. 1976).