

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 00-1865

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EDGAR FLEMMING,

Plaintiff - Appellant,

versus

J. BRYANT DIEHL, Chief of South Carolina De-  
partment of Corrections Canteen Branch; REPUB-  
LIC TOBACCO,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. David C. Norton, District Judge.  
(CA-99-2691-3-18BC)

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Submitted: October 12, 2000

Decided: October 18, 2000

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Before WILLIAMS and MOTZ, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Edgar Flemming, Appellant Pro Se. Terry B. Millar, Rock Hill, South  
Carolina; Thomas Frank Dougall, BOWERS, ORR & DOUGALL, Columbia,  
South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Edgar Flemming appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Flemming v. Diehl, No. CA-99-2691-3-18BC (D.S.C. May 18, 2000). We further deny Flemming's motion for the appointment of counsel. 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