

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-7147**

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LARRY A. TOLSON,

Plaintiff - Appellant,

versus

STEVE WALLACE,

Defendant - Appellee,

and

JERRY MONTEE,

Defendant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-99-8315-H)

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Submitted: November 29, 2001

Decided: December 6, 2001

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Before WIDENER, NIEMEYER, and WILLIAMS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Larry A. Tolson, Appellant Pro Se. Scott Christopher Hart, SUMRELL, SUGG, CARMICHAEL, HICKS & HART, P.A., New Bern, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Larry A. Tolson appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2001) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Tolson v. Wallace, No. CA-99-8315-H (E.D.N.C. June 12, 2001). We deny Tolson's request for mandamus relief. 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