

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-2080**

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VIRGIL L. PAYNE,

Plaintiff - Appellant,

versus

WEST VIRGINIA PUBLIC SERVICE COMMISSION; PAGE-  
KINCAID PUBLIC SERVICE DISTRICT, a public  
utility; KENNETH B. FOX, Chairman; JOHN P.  
DAVID, Secretary; JAMES A. KINCAID, JR.,  
Treasurer; BARTON JACKSON, JR., Plant  
Manager/Operator; DOROTHY JEFFERS, Bookkeeper,

Defendants - Appellees.

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Appeal from the United States District Court for the Southern  
District of West Virginia, at Charleston. John T. Copenhaver, Jr.,  
District Judge. (CA-03-6-2)

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Submitted: November 19, 2003

Decided: November 25, 2003

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Before WILKINSON and GREGORY, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Virgil L. Payne, Appellant Pro Se. Jeffrey Kent Phillips, Robert L.  
Bailey, II, STEPTOE & JOHNSON, Charleston, West Virginia; Philip J.  
Tissue, Oak Hill, West Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Virgil L. Payne appeals the district court's order accepting the recommendation of the magistrate judge dismissing his civil action. We have reviewed the record and find no reversible error. Accordingly, we deny Payne's motion for general relief and affirm on the reasoning of the district court. Payne v. West Virginia Pub. Serv. Comm'n, No. CA-03-6-2 (S.D.W. Va. July 29, 2003). 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