

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 04-7220

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BART FITZGERALD MCCLAIN,

Plaintiff - Appellant,

versus

JAY CARTER, Lieutenant; BRUCE C. CARPENTER,  
Correctional Officer; CODY BLAKE STEWART,  
Correctional Officer; OFFICER EDWARDS; OFFICER  
FOX,

Defendants - Appellee,

and

NORTH CAROLINA DEPARTMENT OF CORRECTIONS,  
Avery-Mitchell Facility,

Defendant.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Asheville. Graham C. Mullen, Chief  
District Judge. (CA-01-20-1-MU)

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Submitted: December 16, 2004

Decided: December 21, 2004

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Before MICHAEL, KING, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Bart Fitzgerald McClain, Appellant Pro Se. James Philip Allen, Roy Asberry Cooper, III, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bart Fitzgerald McClain appeals the district court's order denying his motion to compel and his motion for leave to file a supplemental complaint, and dismissing McClain's civil rights complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See McClain v. Carter, No. CA-01-20-1-MU (W.D.N.C. July 15, 2004). 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