

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-2141**

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NATHANIEL BARNES,

Plaintiff - Appellant,

versus

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION,

Defendant - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Columbia. Margaret B. Seymour, District Judge. (CA-03-2296-3)

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Submitted: February 16, 2006

Decided: February 21, 2006

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Before MICHAEL and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Donald Gist, DeAndrea Gist Benjamin, GIST LAW FIRM, Columbia, South Carolina, for Appellant. Vance J. Bettis, GIGNILLIAT, SAVITZ & BETTIS, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Nathaniel Barnes appeals the district court's order accepting the recommendation of the magistrate judge and denying relief in this civil action. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Barnes v. South Carolina Dep't of Trans., No. CA-03-2296-3 (D.S.C. Sept. 16, 2005). 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