

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-7576**

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JAMES ROWE,

Plaintiff - Appellant,

versus

J. C. COLLINS; COMMONWEALTH ATTORNEY; NEWPORT  
NEWS CITY DISTRICT JUDGE,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Norfolk. Jerome B. Friedman, District  
Judge. (2:06-cv-00204-JBF)

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Submitted: January 18, 2007

Decided: January 23, 2007

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Before WILKINSON, TRAXLER, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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James Rowe, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Rowe appeals the district court's order denying reconsideration of its order dismissing his 42 U.S.C. § 1983 (2000) complaint without prejudice to his right to pursue an action through habeas corpus. We have reviewed the record and find no reversible error. Accordingly, we deny Rowe's motions for appointment of counsel and for release, and we affirm for the reasons stated by the district court. See Rowe v. Collins, No. 2:06-cv-00204-JBF (E.D. Va. Aug. 25, 2006). 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