

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7704

RODERICK JOE,

Plaintiff - Appellant,

versus

WILLIAM B. FUNDERBURK, Clerk of Court for Marlboro County; ROBERT E. WARD, Deputy Director; DIVISION OF MEDICAL AND HEALTH SERVICES; ROBERT E. PETERSON, Deputy General Counsel; JOHN DAVIS; BARNEY LOYD, Associate Warden; WHITNEY SMITH, Captain; LIEUTENANT COIDEN; SERGEANT LUX; SERGEANT ARFLIN; OFFICER GLENN; J. C. COUNTS, Associate Warden; RICHARD C. BEARDEN, MD; SCDC ADA COORDINATOR; COUNSELOR FOX, Mental Health Counselor at Evans Correctional Institution; COUNSELOR MOSES, Mental Health Counselor at Evans Correctional Institution; DIVISION OF INVESTIGATIONS,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Anderson. G. Ross Anderson, Jr., District Judge. (8:06-cv-00119-GRA)

Submitted: January 25, 2007

Decided: January 31, 2007

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

Affirmed by unpublished per curiam opinion.

Roderick Joe, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roderick Joe appeals the district court's order adopting the magistrate judge's recommendation to dismiss his 42 U.S.C. § 1983 (2000) complaint without prejudice for failure to exhaust administrative remedies. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Joe v. Funderburk, No. 8:06-cv-00119-GRA (D.S.C. Sept. 18, 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