

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-6195**

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JULIAN EDWARD ROCHESTER,

Petitioner - Appellant,

versus

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS;  
STATE OF SOUTH CAROLINA,

Respondents - Appellees.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Henry M. Herlong, Jr., District Judge. (2:06-cv-03085-HMH)

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Submitted: May 30, 2007

Decided: June 19, 2007

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Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Julian Edward Rochester, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Julian Edward Rochester appeals the district court's order accepting the recommendation of the magistrate judge and denying his petition for a writ of mandamus. We have reviewed the record and find no reversible error. Accordingly, we deny the motion for leave to proceed in forma pauperis and dismiss the appeal for the reasons stated by the district court. Rochester v. South Carolina Dept of Corr., No. 2:06-cv-03085-HMH (D.S.C. Dec. 1, 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.

DISMISSED