

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-1181**

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DAVID J. WASHINGTON,

Plaintiff - Appellant,

v.

LARRY W. PROPES,

Defendant - Appellee.

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Appeal from the United States District Court for the District of  
South Carolina, at Florence. R. Bryan Harwell, District Judge.  
(4:09-cv-03050-RBH)

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Submitted: May 20, 2010

Decided: May 26, 2010

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Before WILKINSON, NIEMEYER, and DAVIS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David J. Washington, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David J. Washington appeals the district court's order accepting the magistrate judge's report and recommendation, as modified, dismissing Washington's complaint without prejudice and denying his motion for judgment. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Washington v. Propes, No. 4:09-cv-03050-RBH (D.S.C. Jan. 21, 2010). 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