

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6114**

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ROBIN L. GOLDSMITH,

Plaintiff - Appellant,

v.

FRED QUEEN, Facilities Maintenance Instructor, Prunytown  
Correctional Center; DAVID PROCTOR, D.O., Huttonsville  
Correctional Center,

Defendants - Appellees,

and

JIM IELAPI, Warden, Prunytown Correctional Center; WEXFORD  
HEALTH SOURCES; TERESA WAID, Warden, Huttonsville  
Correctional Center; JIM RUBENSTEIN, Commissioner, WV  
Division of Corrections; RONALD MORINO,

Defendants.

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Appeal from the United States District Court for the Northern  
District of West Virginia, at Wheeling. Frederick P. Stamp,  
Jr., Senior District Judge. (5:08-cv-00171-FPS-JES)

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Submitted: January 10, 2011

Decided: January 27, 2011

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Before KING, GREGORY, and DAVIS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robin L. Goldsmith, Appellant Pro Se. Thomas E. Buck, BAILEY & WYANT, PLLC, Wheeling, West Virginia; Philip Cameron Petty, ROSE PADDEN & PETTY, LC, Fairmont, West Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robin L. Goldsmith appeals the district court's order denying reconsideration of its order accepting the magistrate judge's recommendation and dismissing his 42 U.S.C. § 1983 (2006) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Goldsmith v. Queen, No. 5:08-cv-00171-FPS-JES (N.D. W. Va. Jan. 15, 2010; Jan. 4, 2010; Nov. 9, 2009; June 30, 2009). 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