

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

CORNELIUS TUCKER, JR.,

Plaintiff-Appellant.

v.

FRANCES STOREY, individually and in  
her official capacity as Clerk of  
Superior Court, Forsyth County;

No. 95-7676

CECILIA GORDON, individually and in  
her official capacity as Secretary of  
Forsyth Court; T. J. FISHER,  
individually and in his official  
capacity as Deputy Clerk of  
Superior Court,  
Defendants-Appellees.

Appeal from the United States District Court  
for the Middle District of North Carolina, at Winston-Salem.  
N. Carlton Tilley, Jr., District Judge.  
(CA-95-537)

Submitted: January 18, 1996

Decided: February 12, 1996

Before HAMILTON and LUTTIG, Circuit Judges, and  
CHAPMAN, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion. Judge Luttig wrote a  
concurring opinion.

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## COUNSEL

Cornelius Tucker, Jr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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## OPINION

PER CURIAM:

Appellant appeals from the district court's order adopting the magistrate judge's report and recommendation and denying leave to file a 42 U.S.C. § 1983 complaint for failing to comply with a pre-filing injunction. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss on the reasoning of the district court. Tucker v. Storey, No. CA-95-537 (M.D.N.C. Oct. 3, 1995). 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. Judge Luttig would impose sanctions for abuse of the judicial process.

DISMISSED

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LUTTIG, Circuit Judge, concurring:

Appellant has filed 123 appeals in this court between October 22, 1993, and today. I would impose sanctions against Appellant for abuse of the judicial process.