

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7273

MARK STEVEN MYERS,

Plaintiff - Appellant,

versus

TAMMY SAWYER,

Defendant - Appellee,

and

ALBERT L. AUSTON; WILLIAM L. MIDGETT,

Defendants.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Chief District Judge. (CA-95-151-5-F)

Submitted: November 12, 1996

Decided: January 14, 1997

Before HALL and WILKINS, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mark Steven Myers, Appellant Pro Se. Robert Harrison Sasser, III, Mark Allen Davis, WOMBLE, CARLYLE, SANDRIDGE & RICE, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mark Steven Myers appeals the district court's order denying relief on his 42 U.S.C. § 1983 (1994) complaint. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Myers v. Sawyer, No. CA-95-151-5-F (E.D.N.C. Aug. 6, 1996). 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