

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6058

JOLLY P. HINTON,

Plaintiff - Appellant,

versus

MISS PEARCE; CORRECTIONAL OFFICER WESTBROOK;
SERGEANT DAMMERMAN; SERGEANT RICHARDSON;
PATRICIA HAGLER; HARRY ALLSBROOK; ROBERT
ROHEX; SERGEANT CRAFFORD; SERGEANT JUSTICE;
SERGEANT NICK; CORRECTIONAL OFFICER ADAM;
CORRECTIONAL OFFICER HUNTER; CORRECTIONAL
OFFICER PEARCE; CORRECTIONAL OFFICER ODOM;
CORRECTIONAL OFFICER TAYLOR; CORRECTIONAL
OFFICER FLANAGAN; MR. MOORE; CAPTAIN MURPHY;
LIEUTENANT CHERRY,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern Dis-
trict of North Carolina, at Raleigh. Malcolm J. Howard, District
Judge. (CA-96-697-CT-H)

Submitted: June 24, 1997

Decided: September 3, 1997

Before HALL, NIEMEYER, and HAMILTON, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Jolly P. Hinton, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jolly P. Hinton 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 and find no reversible error. Accordingly, we affirm on the reasoning of the district court, but modify to reflect that the dismissal is without prejudice. Hinton v. Pearce, No. CA-96-697-CT-H (E.D.N.C. Dec. 18, 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 AS MODIFIED