

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7168**

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ROBERT L. CHEEK,

Plaintiff - Appellant,

versus

HAROLD J. BENDER,

Defendant - Appellee.

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Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, District Judge. (CA-95-410-3-MU)

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Submitted: March 10, 1998

Decided: April 20, 1998

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Before WILKINS, NIEMEYER, and HAMILTON, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robert L. Cheek, Appellant Pro Se. E. Fitzgerald Parnell, III, POYNER & SPRUILL, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order denying his Fed. R. Civ. P. 60(b) motion for reconsideration in his legal malpractice action. We have reviewed the record and the district court's order and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Cheek v. Bender, No. CA-95-410-3-MU (W.D.N.C. July 10, 1997). 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