

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-1474

THOMAS G. RUTHERS, II,

Plaintiff - Appellant,

versus

HENRY LOWERY, Interstate Agreement Adminis-
trator; THE WEST VIRGINIA DEPARTMENT OF
CORRECTIONS,

Defendants - Appellees.

Appeal from the United States District Court for the Southern Dis-
trict of West Virginia, at Charleston. Charles H. Haden II, Chief
District Judge. (CA-97-679-2)

Submitted: September 10, 1998

Decided: September 23, 1998

Before MURNAGHAN, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas G. Ruthers, II, Appellant Pro Se. Darrell V. McGraw, Jr.,
OFFICE OF THE ATTORNEY GENERAL OF WEST VIRGINIA, Charleston, West
Virginia; Leslie K. Kiser, WEST VIRGINIA DEPARTMENT OF CORRECTIONS,
Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order partially denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1998) 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. Ruthers v. Lowery, No. CA-97-679-2 (S.D.W. Va. Feb. 24, 1998). 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