

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-2757

LARRY DEAN MCSWAIN; ELENORA MCSWAIN,

Plaintiffs - Appellants,

versus

DAVID HUFFMAN; KERRY HAYER; TRENT DAVIS; JOHN
DOE,

Defendants - Appellees.

Appeal from the United States District Court for the Western Dis-
trict of North Carolina, at Statesville. Carl Horn, III, Chief
Magistrate Judge. (CA-97-120-5-H)

Submitted: July 6, 1999

Decided: July 29, 1999

Before WIDENER, LUTTIG, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Larry Dean McSwain, Elenora McSwain, Appellants Pro Se. Tyrus Vance
Dahl, Jr., WOMBLE, CARLYLE, SANDRIDGE & RICE, Winston-Salem, North
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Larry Dean McSwain and Elenora McSwain appeal the magistrate judge's order granting summary judgment in favor of the Appellees on the McSwains' 42 U.S.C.A. § 1983 (West Supp. 1999) action. We have reviewed the record and the magistrate judge's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See McSwain v. Huffman, No. CA-97-120-5-H (W.D.N.C. Oct. 27, 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