

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6214

CLARENCE RICHARD STRICKLAND; JOHN AUGUSTUS
HALL,

Plaintiffs - Appellants,

and

WILLIAM BARRY DORSEY; TROY ANTHONY SMITH,

Plaintiffs,

versus

S. RICHARD WITKOWSKI; DONALD F. DEASE; MICHAEL
MOORE; CHARLES MOLONY CONDON,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Henry M. Herlong, Jr., District
Judge. (CA-97-238-6-20)

Submitted: September 10, 1998 Decided: September 23, 1998

Before MURNAGHAN, MICHAEL, and MOTZ, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Clarence Richard Strickland, John Augustus Hall, Appellants Pro Se.
Andrew Frederick Lindemann, DAVIDSON, MORRISON & LINDEMANN, P.A.,
Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellants appeal from the district court's orders denying relief on their 42 U.S.C.A. § 1983 (West 1994 & Supp. 1998) complaint, and their motion for reconsideration of the same. 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, but modify to reflect a dismissal without prejudice.* Strickland v. Witkowski, No. CA-97-238-6-20 (D.S.C. Aug. 4, 1997; Jan. 20, 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 AS MODIFIED

* We deny Appellees' motion to dismiss the appeal.