

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7310**

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GEORGE H. VAN WAGNER, III; KENNETH WARREN  
ALLISON,

Plaintiffs - Appellants,

versus

CATHERINE C. BLAKE; BENSON EVERETT LEGG; JAMES  
C. CACHERIS; CLAUDE M. HILTON; THOMAS S.  
ELLIS, III; RUTH JONES; FRANCES J. LORSON;  
JEFFREY ATKINS,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CA-  
98-2187-S)

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Submitted: March 23, 1999

Decided: June 7, 1999

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Before NIEMEYER, HAMILTON, and LUTTIG, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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George H. Van Wagner, III, Kenneth Warren Allison, Appellants Pro  
Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

George H. Van Wagner, III, and Kenneth Warren Allison appeal the district court's order dismissing their 42 U.S.C. § 1983 (1994) complaint as frivolous under 28 U.S.C.A. § 1915(e)(2)(B) (West Supp. 1998). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we dismiss the appeal on the reasoning of the district court. See Van Wagner v. Blake, No. CA-98-2187-S (D. Md. July 16, 1998).<sup>\*</sup> 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.

DISMISSED

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<sup>\*</sup> Although the district court order is marked as "filed" on July 15, 1998, the district court's records show it was entered on the docket sheet on July 16, 1998. Pursuant to Fed. R. Civ. P. 58 and 79(a), we consider this date as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).