

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6619**

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EDWIN K. HARTZLER,

Plaintiff - Appellant,

versus

STATE OF SOUTH CAROLINA,

Defendant - Appellee.

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Appeal from the United States District Court for the District of  
South Carolina, at Columbia. G. Ross Anderson, Jr., District Judge.  
(CA-99-3914-3-13BC)

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Submitted: July 13, 2000

Decided: July 25, 2000

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Before WIDENER, LUTTIG, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Edwin K. Hartzler, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Edwin K. Hartzler appeals the district court's order dismissing without prejudice his 42 U.S.C.A. § 1983 (West Supp. 2000) complaint seeking monetary damages against the State of South Carolina based on his continued involuntary confinement in a mental institution. 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. See Hartzler v. South Carolina, No. CA-99-3914-3-13BC (D.S.C. Apr. 24, 2000). This disposition is without prejudice to Hartzler's ability to file a petition under 28 U.S.C. § 2241 (1994) challenging his continued confinement without a competency hearing.\* 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

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\* We express no opinion as to the merits of any such petition.