

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-7342**

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GERALD WAYNE AUTRY,

Plaintiff - Appellant,

versus

DAVID WADSWORTH; NORTH CAROLINA DEPARTMENT OF  
CORRECTION; L. B. JOHNSON; ROBERT BRITTON;  
SERGEANT BOOTH; JASON ARMSTRONG, Inmate,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of North Carolina, at Raleigh. Malcolm J. Howard, District  
Judge. (CA-01-324-5-H)

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Submitted: October 19, 2001

Decided: October 31, 2001

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Before NIEMEYER, MOTZ, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Gerald Wayne Autry, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Gerald Wayne Autry, a state inmate, appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2001) complaint under 28 U.S.C.A. § 1915(e)(2) (West Supp. 2001). We have reviewed the record and the district court's opinion and find this appeal is frivolous. Accordingly, we dismiss the appeal on the reasoning of the district court. See Autry v. Wadsworth, No. CA-01-324-5-H (E.D.N.C. filed June 27, 2001; entered June 30, 2001). 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