

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 02-6659**

---

TYWANN D. SMITH,

Plaintiff - Appellant,

versus

DAVE M. DIXON; PAULA W. CREED; MICHAEL ROACH,

Defendants - Appellees,

and

CHRISTOPHER J. DIAZ; ROBERT C. MARTIN, JR.;  
AMBER L. MORTON; CLIFFORD W. VAUGHN,

Defendants.

---

Appeal from the United States District Court for the Middle  
District of North Carolina, at Durham. James A. Beaty, Jr.,  
District Judge. (CA-99-281)

---

Submitted: August 15, 2002

Decided: August 20, 2002

---

Before NIEMEYER, LUTTIG, and WILLIAMS, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Tywann D. Smith, Appellant Pro Se. John Payne Scherer, II,  
Assistant Attorney General, Raleigh, North Carolina, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Tywann D. Smith appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 2001) complaint. 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. Smith v. Dixon, No. CA-99-281 (M.D.N.C. Mar. 6, 2002). 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