

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7899

JOE DAVID BARNARD,

Plaintiff - Appellant,

versus

BILLY JOE DURHAM,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., District Judge. (CA-03-3321-6-20BI)

Submitted: February 19, 2004

Decided: February 26, 2004

Before NIEMEYER, GREGORY, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Joe David Barnard, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joe David Barnard appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice his 42 U.S.C. § 1983 (2000) complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) (2000). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Barnard v. Durham, No. CA-03-3321-6-20BI (D.S.C. Nov. 24, 2003). 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