

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7753

MICHAEL R. RAY, on behalf of himself personally and as initial class representative pending the appointment of counsel to represent the class,

Plaintiff - Appellant,

v.

EVERCOM SYSTEMS, INCORPORATED; LEXINGTON COUNTY, on behalf of Lexington County Detention Center; PAY TEL COMMUNICATIONS, INCORPORATED; JOHN VINCENT TOWNSEND, Personally and as President of Pay Tel Communications, Inc.; SPRINT PAYPHONE SERVICES, INCORPORATED, now known as Embarq Payphone Services, Incorporated; SOUTH CAROLINA BUDGET AND CONTROL BOARD, State of; SOUTH CAROLINA DEPARTMENT OF CORRECTIONS; FLORENCE COUNTY, on behalf of Florence County Detention Center,

Defendants - Appellees,

and

DARLINGTON COUNTY, on behalf of Darlington County Detention Center; DILLON COUNTY, on behalf of Dillon County Detention Center; SPARTANBURG COUNTY, on behalf of Spartanburg County Detention Center; WILLIAMSBURG COUNTY, on behalf of Williamsburg County Detention Center; DENNIS L. WHIPPLE, Personally and as President and CEO of Evercom Systems, Inc.,

Defendants.

Appeal from the United States District Court for the District of South Carolina, at Florence. R. Bryan Harwell, District Judge.
(4:05-cv-02904-RBH)

Submitted: May 20, 2010

Decided: May 24, 2010

Before WILKINSON, NIEMEYER, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael R. Ray, Appellant Pro Se. Daniel C. Plyler, DAVIDSON & LINDEMANN, P.A., Columbia, South Carolina; John J. Pringle, Jr., ELLIS, LAWHORNE & SIMS, P.A., Columbia, South Carolina, Brant Mitchell Laue, ARMSTRONG TEASDALE, LLP, Kansas City, Missouri; Charles Franklin Turner, Jr., Samuel C. Weldon, TURNER, PADGET, GRAHAM & LANEY, P.A., Greenville, South Carolina, Stephanie A. Joyce, ARENT FOX, LLP, Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael R. Ray appeals the district court's order accepting in part the recommendation of the magistrate judge and granting summary judgment to the Defendants and dismissing the federal claims with prejudice and dismissing the state law claims without prejudice. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Ray v. Evercom Sys., Inc., No. 4:05-cv-2904-RBH (D.S.C. Sept. 16, 2009). 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