

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 95-7313**

---

SHAWN HUNTER,

Plaintiff - Appellant,

versus

RUFUS FLEMING, Warden, Nottoway Correctional  
Center; LOU CEI, Chairman CCB; DUNCAN MILLS,  
CCB Member; PATRICK GURNEY, CCB Manager,

Defendants - Appellees,

and

CENTRAL CLASSIFICATION BOARD; JOHN DOES, 1-3,

Defendants.

---

Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Richmond. Robert R. Merhige, Jr., Senior  
District Judge. (CA-95-111)

---

Submitted: September 30, 1997

Decided: October 28, 1997

---

Before HALL, NIEMEYER, and HAMILTON, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

---

Steven H. Goldblatt, Director, Russell S. King, Student Counsel, Jennifer A. Wagner, Student Counsel, Appellate Litigation Program, GEORGETOWN UNIVERSITY LAW CENTER, Washington, D.C., for Appellant. James Gilmore, III, Attorney General, Mark Davis, Senior Assistant Attorney General, Jill Bowers, Assistant Attorney General, OFFICE OF THE ATTORNEY GENERAL, Richmond, Virginia, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Shawn Hunter, a Virginia inmate, appeals the district court's order denying relief on his 42 U.S.C. § 1983 (1994) complaint. 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, Hunter v. Fleming, No. CA-95-111 (E.D. Va. Aug. 16, 1995), with the exception of Hunter's claim under the Religious Freedom Restoration Act (RFRA). Hunter's RFRA claim fails because the law does not apply to Virginia. See City of Boerne v. Flores, \_\_\_ U.S. \_\_\_, 65 U.S.L.W. 4612 (U.S. June 25, 1997) (No. 95-2074) (holding that Congress lacks authority under the Fourteenth Amendment to apply RFRA to the states). 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