

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-6507**

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JOHNNY RUSHING,

Plaintiff - Appellant,

versus

DEPARTMENT OF CORRECTIONS; COMMONWEALTH OF  
VIRGINIA,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Alexandria. James C. Cacheris, Chief  
District Judge. (CA-96-276)

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Submitted: August 15, 1996

Decided: August 21, 1996

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Before MURNAGHAN and ERVIN, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Johnny Rushing, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the district court's order denying relief on his 42 U.S.C. § 1983 (1988) 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. Rushing v. Department of Corrections, No. CA-96-276 (E.D. Va., Mar. 4, 1996). 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