

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7028**

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DONALD MARSHALL,

Plaintiff - Appellant,

versus

RUFUS FLEMINGS, Warden, Chief Warden of  
Nottoway Correction Center; DAVID ROBINSON,  
Assistant Warden of Nottoway Correction  
Center; KIM RUNION, Employee of Nottoway  
Correction Center,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Alexandria. Albert V. Bryan, Jr., Senior  
District Judge. (CA-97-908-AM)

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Submitted: March 26, 1998

Decided: April 7, 1998

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Before WIDENER and MOTZ, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Donald Marshall, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant, a Virginia inmate, appeals the district court's order denying relief on his 42 U.S.C. § 1983 (1994) complaint under 28 U.S.C.A. § 1915A (West Supp. 1997). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we deny Appellant's motion for appointment of counsel and dismiss the appeal on the reasoning of the district court. Marshall v. Flemings, No. CA-97-908-AM (E.D. Va. June 24, 1997). 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.

DISMISSED