

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7218

DAVID LEE CARR,

Plaintiff - Appellant,

versus

NICHOLAS HUN, Ex-Commissioner, Department of Corrections in his Individual Capacity; LARRY MCNEELY, Commissioner, Department of Corrections in his Individual Capacity; WILLIAM C. DUNCIL, Warden, Huttonsville Correctional Center in his Individual Capacity; ROY WHITE, Medical Administrator CMS Huttonsville Correctional Center in his Individual Capacity; BRENDA STARR, Employment Officer, Huttonsville Correctional Center in her Individual Capacity; ELLEN COLLETT, Dental Assistant, Huttonsville Correctional Center in her Individual Capacity; MARY THOMPSON, RN, Nurse CMS, Huttonsville Correctional Center in her Individual Capacity; CORRECTIONAL MEDICAL SYSTEMS, INCORPORATED, CMS Huttonsville Correctional Center in its Individual Capacity; JOHN DOES, Unknown Agents, Huttonsville Correctional Center in his or her Individual Capacity,

Defendants - Appellees.

Appeal from the United States District Court for the Northern District of West Virginia, at Elkins. Robert Earl Maxwell, Senior District Judge. (CA-97-56-2)

Submitted: November 19, 1998

Decided: December 3, 1998

Before HAMILTON and WILLIAMS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

David Lee Carr, Appellant Pro Se. Leslie K. Kiser, WEST VIRGINIA DEPARTMENT OF CORRECTIONS, Charleston, West Virginia; Mark Sheridan Brennan, WRIGHT, ROBINSON, OSTHIMER & TATUM, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

David Lee Carr appeals the district court's order denying his motion for a restraining order and dismissing his civil action with prejudice. 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. Carr v. Hun, No. CA-97-56-2 (N.D. W. Va. July 28, 1998). 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