

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7237

ROBERT DAVILA,

Plaintiff - Appellant,

versus

JAMES BROOKS, Major at Lee Correctional Institution; THOMAS JACKSON, Mailroom worker at Lee Correctional Institution; ROBERT VAUGHN, Mailroom worker at Lee Correctional Institution; SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

Defendants - Appellees,

and

WILLIAM DAVIS, Warden of Lee Correctional Institution,

Defendant.

Appeal from the United States District Court for the District of South Carolina, at Rock Hill. David C. Norton, District Judge. (CA-97-1240-18BD)

Submitted: November 30, 1998

Decided: February 10, 1999

Before ERVIN, HAMILTON, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert Davila, Appellant Pro Se. John Evans James, III, RICHARDSON & JAMES, Sumter, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Robert Davila appeals the district court's order granting summary judgment in favor of defendants-appellees on his 42 U.S.C.A. § 1983 (West Supp. 1998) complaint. We have reviewed the record and the district court's opinion accepting the magistrate judge's recommendation. We conclude the district court properly found there was no issue of material fact and the defendants-appellees were entitled to judgment as a matter of law. Accordingly, we affirm on the reasoning of the district court. Davila v. Brooks, No. CA-97-1240-18BD (D.S.C. July 17, 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