

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-2223**

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SYLVESTER JONES,

Plaintiff - Appellant,

versus

PUBLIC BROADCASTING SERVICE; JIM LEHRER, Host; LESTER M. CRYTAL, Executive Producer; REX D. ADAMS, The Fuqua School of Business, Durham, North Carolina; MARIAN B. ANDERSEN, Lay Representative Nebraska, Educational Telecommunications Commission, Omaha, Nebraska; HENRY P. BECTON, JR., President and General Manager WGBH, Educational Foundation Boston, Massachusetts; CHARLES L. BROWN, Former Chairman AT&T, Princeton, New Jersey, Representing New Jersey Network; LOUISE HENRY BRYSON, Former Senior Vice President FZ Network; COLIN G. CAMPBELL, Chairman, President Rockefeller Brothers Fund New York; JEFF CLARKE, General Manager and Chief Executive Officer, KUHT, Houston Public Television, Houston, Texas; CHERYL A. CRAIGIE, President and Chief Executive Officer, KERA, North Texas Public Broadcasting, Incorporated, Dallas, Texas; DAVID L. DIAL, President and General Manager, WNIN, Tri-State Public Teleplex, Incorporated, Evansville, Indiana; ERVIN S. DUGGAN, President and Chief Executive Officer, Public Broadcasting Service, Alexandria, Virginia; FRED C. ESPLIN, General Manager, KUED, University of Utah, Salt Lake City, Utah; ROBERT H. GARDINER, President, Maine Public Broadcasting, Lewiston, Maine; W. WAYNE GOWIN, Vice Chairman, President and General Manager, WCET, Greater Cincinnati TV Educational Foundation, Cincinnati, Ohio; DENNIS L. HAARSAGER, General

Manager, KWSU/KTNW, Washington State University, Pullman, Washington; SUSAN HOWARTH, Executive Director, Arkansas Educational Television Network, Conway, Arkansas; TOM HOEW, Director and General Manager, The UNC Center for Public Television, Research Triangle Park, North Carolina; ALBERTO IBARGUEN, Publisher, The Miami Herald, Miami, Florida; WILBERT J. LEMELLE, President, Chief Executive Officer-FMC Corporation, Chicago, Illinois, Representing WTTW Chicago; NANCY HICKS MARYNARD, Director, The Economics of New York PROJECT, New York; RUSSELL W. MEYER, JR., Chairman and Chief Executive Officer, The CESSNA Aircraft Company; ROBERT H. MICHEL, Former Minority Leader, U.S. House of Representatives, Washington D.C., Representing WTVP Peoria, Illinois; GEORGE MILES, JR., President and Chief Executive Officer-WQED Pittsburgh, Pennsylvania; SONIN PEREZ, Executive Director-External Affairs, Southwestern Bell Telephone, McAllen Texas-Representing KMBH, Haringen, Texas; PITA RAY, Executive Director, West Virginia Educational Broadcasting Authority-Charleston, West Virginia; JAMES Q. RIORDAN, Former Vice Chairman, Mobil Corporation-New York, New York; SHARON P. ROCKEFELLER, President and Chief Executive Officer, WETA-The Greater Washington Educational Telecommunications Association, Incorporated, Arlington, Virginia; MEL ROGERS, President and General Manager, KOCE-Coast Community College District, Huntington Beach, California; CATHARINE R. SIMPSON, Dean, Graduate School of Arts and Science, New York University-New York, New York, Representing WNET New York; SIDNEY TOPOL, President, Topol Group, Incorporated, Springfield, Massachusetts, representing WGBH/WGBY Boston, Massachusetts; MARSHALL TURNER, Vice Chairman, Taylor and Turner, Associates, Limited, San Francisco, California, Representing KQED San Francisco; LLOYD WRIGHT, Resident and General Manager, WFYI, Metropolitan, Indianapolis Public Broadcasting, Incorporated, Indianapolis, Indiana; JOSEPH B. MOORE, Assistant Attorney, Eastern

District of Missouri, and Office, Member of PBS Board of Directors; UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF MISSOURI, En Banc, Members of PBS Board of Directors; UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT, En Banc, Member of PBS Board of Directors; JANET RENO, United States Attorney General, U.S. Department of Justice, Washington, D.C., Member of PBS Board of Directors; LOUIS FREEH, Deputy Chief, Director F.B.I., U.S. Department of Justice, Washington, D.C., Member of PBS Board of Directors; CARDINAL RITTER INSTITUTE, CORPORATION, Its St. John Neumann, Apartments-All Officials; UNITED STATES SUPREME COURT, En Banc, Clerk, Deputies and Law Clerks, Member of PBS Board of Directors; THOMAS PENFIELD JACKSON, Judge, United States District Court for the District of Columbia, its Clerk and Law Clerks, Member of PBS Board of Directors; UNITED STATES COURT OF APPEALS, En Banc for the District of Columbia Circuit, its Law Clerk, Member of PBS Board of Directors; UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF ILLINOIS, En Banc, its Clerk and Law Clerks, Member of PBS Board of Director; UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, its Director; RANDALL D. OITKER, Special Agents, St. Louis, Missouri Branch, United States Drug Enforcement Administration, Member of PBS Board of Directors; JAMES D. MCDOWELL, Special Agents, St. Louis, Missouri Branch, United States Drug Enforcement Administration, Member of PBS Board of Directors; STEVEN D. STODDARD, Special Agents, St. Louis, Missouri Branch, United States Drug Enforcement Administration, Member of PBS Board of Directors; THOMAS SMITH, Special Agents, St. Louis, Missouri Branch, United States Drug Enforcement Administration, Member of PBS Board of Directors; DENNIS BACKER, Special Agents, St. Louis, Missouri Branch, United States Drug Enforcement Administration, Member of PBS Board of Directors; MICHAEL ADAMS, Special Agents, St. Louis, Missouri Branch, United States Drug Enforcement Administration, Member of PBS Board of Directors; WASHINGTON POST NEWSPAPER COMPANY, its Editors, Publishers, Owners, and other unknown

named persons; LINDA WINSLOW, Deputy Producer, Member of Board of Directors; MILTON P. WILKINS, JR., Vice President, Corporate Development Monsanto Company, St. Louis, Missouri, Representing KETC St. Louis; EDWARD L. DOWD, JR., U.S. Attorney, Eastern District of Missouri, Member of PBS Board of Directors; GEORGE R. ARIYOSHI, Watanbe, Ing and Kawashima, Representing Hawaii Public Television; UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, En Banc, Main Principal, Member of PBS Board of Directors,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (CA-99-1242-A)

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Submitted: December 16, 1999

Decided: December 21, 1999

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

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Affirmed by unpublished per curiam opinion.

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Sylvester Jones, Appellant Pro Se.

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

PER CURIAM:

Sylvester Jones appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1999) complaint under 28 U.S.C.A. § 1915(e)(2) (West Supp. 1999). We have reviewed the record and the district court's opinion and find that this appeal is frivolous. Accordingly, we affirm on the reasoning of the district court. See Jones v. Public Broadcasting Serv., No. CA-99-1242-A (E.D. Va. Aug. 20, 1999).<sup>\*</sup> 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

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<sup>\*</sup> Although the district court's order is marked as "filed" on August 18, 1999, the district court's records show that it was entered on the docket sheet on August 20, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).