

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-7525**

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TYRONE SHELTON,

Plaintiff - Appellant,

versus

RONALD ANGELONE; GENE M. JOHNSON, Deputy Director of the Virginia Department of Corrections; GARY BASS, Chief of Operations for the Virginia Department of Corrections; RICHARD A. YOUNG, Western Regional Director for the Virginia Department of Corrections; GEORGE E. DEEDS, Warden for Red Onion State Prison; YVONNE ELSWICK, Assistant Warden of Programs, Red Onion State Prison; OPERATIONS OFFICER FOR RED ONION STATE PRISON; J. BENTLEY, Treatment Program Supervisor at Red Onion State Prison; R. ROWLETTE, Major, Chief of Security at Red Onion State Prison; L. FLEMING, Captain of Security at Red Onion State Prison; D. TAYLOR, Captain of Security at Wallens Ridge State Prison; R. PIENKA, Sergeant; M. MULLINS,

Defendants - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CA-99-750-7)

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Submitted: February 24, 2000

Decided: March 3, 2000

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

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Affirmed in part and dismissed in part by unpublished per curiam opinion.

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Tyrone Shelton, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Tyrone Shelton appeals the district court's order denying his motion for a temporary restraining order and a preliminary injunction. To the extent that Shelton appeals the denial of a temporary restraining order, such denial is not ordinarily appealable. See Virginia v. Tenneco, Inc., 538 F.2d 1026, 1029-30 (4th Cir. 1976). Because the case presents no exceptional circumstances, we decline to review the denial of a temporary restraining order, and dismiss the appeal as it pertains to that order. To the extent that Shelton appeals the denial of injunctive relief, we have reviewed the record and the district court's opinion and find no abuse of discretion. Accordingly, we affirm on the reasoning of the district court. See Shelton v. Angelone, No. CA-99-750-7 (W.D. Va. Oct. 26, 1999). 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 IN PART AND DISMISSED IN PART