FILED: August 7, 2018

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6163
(4:17-cv-01851-DCN)

JOHN BACCUS, a/k/a John Baccus Roosevelt

Plaintiff - Appellant

v.

EDGAR L. CLEMENTS, III; VON DEAN TURBEVILLE; BARRY PROSSER; AMBER MCDANIEL THOMPSON; KEITH LUTCKEN; BRIAN WALLACE; PAUL BAKER; MICHELLE DIXON; JOHN BLACK

Defendants - Appellees

O R D E R

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc. Additionally, the court denies the motion for preliminary injunction.

Entered at the direction of the panel: Judge Diaz, Judge Harris, and Senior Judge Shedd.

For the Court

/s/ Patricia S. Connor, Clerk

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6163

JOHN BACCUS, a/k/a John Baccus Roosevelt,

Plaintiff - Appellant,

v.

EDGAR L. CLEMENTS, III; VON DEAN TURBEVILLE; BARRY PROSSER; AMBER MCDANIEL THOMPSON; KEITH LUTCKEN; BRIAN WALLACE; PAUL BAKER; MICHELLE DIXON; JOHN BLACK,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. David C. Norton, District Judge. (4:17-cv-01851-DCN)

Submitted: June 21, 2018 Decided: June 26, 2018

Before DIAZ and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

John Roosevelt Baccus, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Roosevelt Baccus seeks to appeal from the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice Baccus's 42 U.S.C. § 1983 (2012) complaint. Finding no error, we affirm on the reasoning of the district court.* *See Baccus v. Clements*, No. 4:17-cv-01851-DCN (D.S.C. Jan. 23, 2018). We deny Baccus's motions for a transcript at Government expense and for appointment of counsel. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* The grounds of the dismissal make clear that no amendment could cure the defects in Baccus's case. Therefore, the order is final and appealable. *See Goode v. Cent. Va. Legal Aid Soc'y, Inc.*, 807 F.3d 619, 625, 629-30 (4th Cir. 2015).

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

John Baccus, *a/k/a John Baccus Roosevelt*, Plaintiff, vs. Edgar L. Clements, III; Von Dean Turbeville; Barry Prosser; Amber McDaniel Thompson; Keith Lutcken; Brian Wallace; Paul Baker; Michelle Dixon; and John Black; Defendant.	C/A No.: 4:17-cv-1851 DCN **ORDER**

The above referenced case is before this court upon the magistrate judge's recommendation that plaintiff's motion to stay/hold case in abeyance be denied, and that the court dismiss plaintiff's complaint with prejudice and without issuance and service of process.

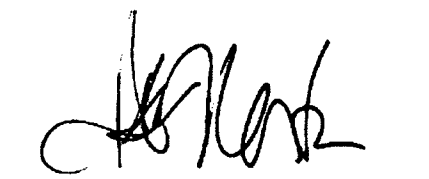
This court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. Thomas v Arn, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. United States v. Schronce, 727 F.2d 91 (4th Cir. 1984), cert. denied, 467 U.S. 1208 (1984).[1] **Objections to the Magistrate Judge's Report and**

[1]In Wright v. Collins, 766 F.2d 841 (4th Cir. 1985), the court held "that a pro se litigant must receive fair notification of the consequences of failure to object to a magistrate judge's report before such a procedural default will result in waiver of the right to appeal. The notice

Recommendation were timely filed on January 18, 2018 by plaintiff.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's Report and Recommendation is **AFFIRMED,** plaintiff's motion to stay/hold case in abeyance is **DENIED,** and plaintiff's complaint is **DISMISSED** without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

January 23, 2018
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure

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must be 'sufficiently understandable to one in appellant's circumstances fairly to appraise him of what is required.'" Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

John Baccus, *a/k/a John Baccus Roosevelt*, Plaintiff, vs. Edgar L. Clements, III; Von Dean Turbeville; Barry Prosser; Amber McDaniel Thompson; Keith Lutcken; Brian Wallace; Paul Baker; Michelle Dixon; John Black, Defendants.	C/A No. 4:17-1851-DCN-BM **REPORT AND RECOMMENDATION**

The Plaintiff, John Roosevelt Baccus, a/k/a John Baccus, proceeding pro se and in forma pauperis, brings this action pursuant to 42 U.S.C. § 1983. Plaintiff is an inmate at the Lieber Correctional Institution of the South Carolina Department of Corrections (SCDC), where he is serving concurrent sentences of life imprisonment without parole after being convicted of murder and burglary at a jury trial in Marion County General Sessions Court in May 2003. See ECF No. 1-2 at 18-19; Marion County Twelfth Judicial Circuit Public Index, http://publicindex.sccourts.org/Marion/PublicIndex/CaseDetails.aspx?County=33&CourtAgency=33001&Casenum=F466007&CaseType=C&HKey=10811512052779011750684987891168910710743104118894371117111111711058311212048751131101064748717356871105 2; http://publicindex.sccourts.org/Marion/PublicIndex/CaseDetails.aspx?County=33&CourtAgency=33001&Casenum=F466008&CaseType=C&HKey=84798985101119684910473118828111253895198122788910285661229086555550121105105474874748010711050844 8 (last visited Dec. 18, 2017).[1]

[1]The Court may take judicial notice of factual information located in postings on government (continued...)

Under established local procedure in this judicial district, a careful review has been made of the pro se Complaint pursuant to the procedural provisions of 28 U.S.C. § 1915 and § 1915A, the Prison Litigation Reform Act, Pub.L. No. 104–134, 110 Stat. 1321 (1996), and in light of the following precedents: Denton v. Hernandez, 504 U.S. 25 (1992), Neitzke v. Williams, 490 U.S. 319 (1989), Haines v. Kerner, 404 U.S. 519 (1972), Nasim v. Warden, Maryland House of Corr., 64 F.3d 951 (4th Cir. 1995), and Todd v. Baskerville, 712 F.2d 70 (4th Cir. 1983). Pro se complaints are held to a less stringent standard than those drafted by attorneys, Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978), and a federal district court is charged with liberally construing a pro se complaint to allow the development of a potentially meritorious case. Hughes v. Rowe, 449 U.S. 5, 9 (1980); Erickson v. Pardus, 551 U.S. 89, 93 (2007) (citing Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555–56 (2007)).

However, even when considered pursuant to this liberal standard, for the reasons set forth herein below this case is subject to summary dismissal. The requirement of liberal construction does not mean that the court can ignore a clear failure in the pleading to allege facts which set forth a claim cognizable in a federal district court. See Weller v. Dep't of Soc. Servs., 901 F.2d 387 (4th Cir. 1990); see also Ashcroft v. Iqbal, 556 U.S. 662, 679-679 (2009) [outlining pleading requirements under the Federal Rules of Civil Procedure].

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[1](...continued)
web sites. See Tisdale v. South Carolina Highway Patrol, C/A No. 0:09–1009–HFF–PJG, 2009 WL 1491409, *1 n. 1 (D.S.C. May 27, 2009), aff'd 347 F. App'x 965 (4th Cir. Aug. 27, 2009); In re Katrina Canal Breaches Consolidated Litigation, No. 05–4182, 2008 WL 4185869 at * 2 (E.D.La. September 8, 2008)[noting that courts may take judicial notice of governmental websites including other courts' records]; Williams v. Long, 585 F.Supp.2d 679, 687–88 (D.Md. 2008)[noting that some courts have found postings on government web sites as inherently authentic or self-authenticating].

Discussion

Plaintiff alleges that the Defendants violated his due process rights and his Fourth Amendment right to privacy by intentionally disclosing or attempting to disclose to other persons the contents of Plaintiff's private electronic storage device (a surveillance security system videotape). However, a review of the Complaint form reveals that Plaintiff has failed to state what actions he asserts against each of the Defendants and fails to mention any of the Defendants, other than to list the Defendants' names and to state that the Defendants "secret participation in criminal investigation intentionally disclosed or attempted to disclose to other persons the contents of Plaintiff's private Electronic Storage Device [Surveillance Security System Video Tape], knowing, or having reason to know that the information obtained through the interception of Plaintiff's private electronic storage device [Surveillance Security System Video Tape], In connection with a criminal investigation and the disclosure is not otherwise authorized and the agents were not authorized by surveillance order or emergency surveillance order that was obtained on behalf of a Judge...." ECF No. 1-1 at 2 [errors in original]; see also ECF No. 1 at 6. As such, Plaintiff's claims fail to allege sufficient facts to state a constitutional or other federal claim, as his allegations are so generally incomprehensible and filled with what could only be considered by a reasonable person as unconnected, conclusory, and unsupported comments or "gibberish," that it is unclear what is to be made of them. See Hagans v. Lavine, 415 U.S. 528, 536-537 (1974) [Noting that federal courts lack power to entertain claims that are "so attenuated and unsubstantial as to be absolutely devoid of merit"]; see also Livingston v. Adirondack Beverage Co., 141 F.3d 434 (2nd Cir. 1998); Adams v. Rice, 40 F.3d 72 (4th Cir. 1994)[Affirming dismissal of plaintiff's suit as frivolous where allegations were conclusory and nonsensical on their face].

In order to proceed with a case in this Court, a Plaintiff must set forth sufficiently clear factual allegations against a named Defendant of personal responsibility or personal wrongdoing in connection with the alleged violation of the Plaintiff's constitutionally protected rights. Since Plaintiff has failed to do so, his Complaint is in violation of the directive in Federal Rule of Civil Procedure 8(a) that pleadings shall contain "a short and plain statement" of the basis for the court's jurisdiction and of the basis for a plaintiff's claims against each defendant. See Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)[requiring, in order to avoid dismissal, "'a short and plain statement of the claim showing that the pleader is entitled to relief,' in order to 'give the defendant fair notice of what the ... claim is and the grounds upon which it rests.'"].

Moreover, even if Plaintiff were to further attempt to amend his Complaint to state specific claims against each of the Defendants,[2] this action would still be subject to summary dismissal pursuant to Heck v. Humphrey, 512 U.S. 477 (1994),[3] as these claims would implicitly question the validity of Plaintiff's convictions and he has not alleged that his convictions have been previously invalidated. Heck, 512 U.S. at 486-487. Even though Plaintiff has now amended his Complaint to delete his request for release from custody,[4] the relief he requests (declaratory judgment

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[2]Plaintiff has filed previous motions to amend, one of which was denied with instructions to complete a proposed amended complaint, and one of which was granted by separate order. See also Brockington v. South Carolina Dep't of Soc. Servs., No. 17-1028, 2017 WL 1531633 (4th Cir. 2017)[Noting that pro se Plaintiff should be provided an opportunity to amend his complaint to cure defects prior to a dismissal].

[3]In Heck, the United States Supreme Court held that a state prisoner's claim for damages is not cognizable under § 1983 where success of the action would implicitly question the validity of the conviction or duration of the sentence, unless the prisoner can demonstrate that the conviction or sentence has been previously invalidated. Heck, 512 U.S. at 486-487.

[4]If, however, Plaintiff still seeks release from prison as part of this lawsuit, such relief is not (continued...)

that the Defendants' actions in prosecuting his criminal case violated his constitutional rights) may affect the validity of his criminal convictions. Heck, 512 U.S. at 486-487. Therefore, Heck acts to bar Plaintiff's claims for injunctive and declaratory relief. See Wilkinson v. Dotson, 544 U.S. 74, 81–82 ["[A] state prisoner's § 1983 action is barred (absent prior invalidation)—no matter the relief sought (damages or equitable relief), no matter the target of the prisoner's suit ...—*if* success in that action would necessarily demonstrate the invalidity of confinement or its duration."]; Mobley v. Tompkins, 473 F. App'x 337 (4th Cir. 2012)[applying Heck in a civil action seeking damages and injunctive relief relating to federal convictions] (citing Heck, 512 U.S. at 486-487; Harvey v. Horan, 278 F.3d 370, 375 (4th Cir. 2002), abrogated on other grounds by Skinner v. Switzer, 562 U.S. 521 (2011)).

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[4](...continued)
available in a civil rights action. See Heck, 512 U.S. at 481 [stating that "habeas corpus is the exclusive remedy for a state prisoner who challenges the fact or duration of his confinement and seeks immediate or speedier release, even though such a claim may come within the literal terms of § 1983"]; Preiser v. Rodriguez, 411 U.S. 475, 487–88 (1973)[attacking the length of duration of confinement is within the core of habeas corpus]. Rather, to the extent Plaintiff is attempting to collaterally attack his sentences, Plaintiff's exclusive federal remedy to obtain release from custody is to file a petition for a writ of habeas corpus under 28 U.S.C. § 2254, after full exhaustion of his state remedies. See Heck, 512 U.S. at 481. Indeed, Plaintiff previously filed § 2254 petitions attacking his convictions for murder and burglary (a federal court may take judicial notice of the contents of its own records. See Aloe Creme Labs., Inc. v. Francine Co., 425 F.2d 1295, 1296 (5th Cir. 1970), with summary judgment granted to respondent as to his first petition, see Baccus v. Burt, No. 0:06-1912-DCN-BM, 2007 WL 1468700 (D.S.C. May 16, 2007)), and summary dismissal of his two successive petitions, see Baccus v. State of South Carolina, 9:13-3133 (D.S.C); Baccus v. Cartledge, No. 9:11-1754-DCN, 2011 WL 3794232 (D.S.C. Aug. 24, 2011). Thus, before Plaintiff can file another petition for a writ of habeas corpus in this court, he must seek and obtain leave to do so (i.e., written permission) from the United States Court of Appeals for the Fourth Circuit pursuant to 28 U.S.C. § 2244(b)(3). See Gonzalez v. Crosby, 545 U.S. 524, 530 (2005) ["[B]efore the district court may accept a successive petition for filing, the court of appeals must determine that it presents a claim not previously raised that is sufficient to meet § 2244(b)(2)'s new-rule or actual-innocence provisions."] (citing 28 U.S.C. § 2244(b)(3)).

Plaintiff also argues that the Defendants' actions violated his rights pursuant to S.C. Code Ann. § 17-30-10 and the "Federal Statute 18 USCA Part 1 CH. 119" (ECF No. 1 at 7; ECF No. 1-1 at 2), which appears to refer to the Federal Wiretap Act, 18 U.S.C. §§ 2510 et seq.[5] However, even if Plaintiff has stated a claim under one or both of these statutes and this lawsuit was otherwise viable notwithstanding Heck, his claims are nonetheless barred by the applicable statutes of limitations. The Fourth Circuit has recognized that the statute of limitations may be addressed sua sponte when such a defense appears on the face of either a petition for habeas corpus filed pursuant to 28 U.S.C. § 2254, see Hill v. Braxton, 277 F.3d 701, 706 (4th Cir. 2002), or a complaint filed in forma pauperis pursuant to 28 U.S.C. § 1915, see Nasim v. Warden, Md. House of Corr., 64 F.3d at 953–54. In Nasim, the Court concluded that, in evaluating a complaint filed in forma pauperis pursuant to § 1915, a district court may consider a statute of limitations defense sua sponte when the face of the complaint plainly reveals the existence of such defense. Id.; see also Hunterson v. Disbabato, 244 F. App'x 455 (3d Cir. 2007) [a district court may sua sponte dismiss a claim as time-barred where it is apparent from the complaint that the applicable limitations period has run]; Castillo v. Grogan, 52 F. App'x 750, 751 (6th Cir. 2002)[district court may sua sponte dismiss complaint as time-barred when the defect is obvious]; Alston v. Tennessee Dep't of Corrs., 28 F. App'x 475 (6th Cir. 2002)["Because the statute of limitations defect was obvious from the face of the complaint, sua sponte dismissal of the complaint was appropriate."]; Fraley v. Ohio Gallia

[5]Plaintiff also makes vague claims concerning race in his Complaint. Although racial discrimination claims are actionable under § 1983, Henry v. Van Cleve, 469 F.2d 687 (5th Cir. 1972), merely conclusory allegations of discrimination are insufficient to state a claim. See Chapman v. Reynolds, 378 F. Supp. 1137, 1140 (W.D. Va. 1974)["[A]bsent some factual evidence the court will not look behind the determinations of prison officials on mere accusations that they are racially motivated."].

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County, 1998 WL 789385, at * 1 (6th Cir. Oct. 30, 1998)[affirming sua sponte dismissal of pro se § 1983 action filed after two year statute of limitations for bringing such an action had expired]; Pino v. Ryan, 49 F.3d 51, 53–54 (2d Cir. 1995)[concluding that district court can raise statute of limitations defense sua sponte in evaluating complaint filed pursuant to § 1915].

Under the Federal Wiretap Act, a claim must be brought within "two years after the date upon which the claimant first has a reasonable opportunity to discover the violation." 18 U.S.C. § 2520(e); Davis v. Zirkelbach, 149 F.3d 614, 618 (7th Cir. 1998). Under the South Carolina Homeland Security Act, § 17-30-10, et seq., the statute of limitations is generally five years, but in the case of certain actions brought against the State or its employees acting within the scope of their official duties, the two-year statute of limitations in § 15-78-110 of the South Carolina Tort Claims act applies. See S.C. Code Ann. § 17-30-135. Here, Plaintiff filed this action well past the applicable statutes of limitation, as the alleged act(s) occurred in November 1999. See ECF No. 1 at 6. Even if Plaintiff could plausibly argue that he did not learn about the alleged acts until his trial in 2003 (Plaintiff has submitted a portion of a transcript of a preliminary hearing and a portion of his May 2003 trial transcript in which the alleged videotape is discussed - see ECF No. 21-1 at 3-15), this is still more than five years prior to the filing of this action.[6]

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[6]Additionally, even if Plaintiff's case were to otherwise proceed, his claims against Defendant prosecutor Edgar L. Clements, III, involve the prosecution of his criminal cases. However, Defendant Clements is protected from Plaintiff's claims for damages by prosecutorial immunity. See Mitchell v. Forsyth, 472 U.S. 511, 526 (1985)[absolute immunity "is an immunity from suit rather than a mere defense to liability"]; see also Bernard v. County of Suffolk, 356 F.3d 495, 502 (2d Cir. 2004)[immunity extends to "persons working under [a prosecutor's] direction, when they function as advocates for the state" and are clearly associated with the judicial process]. Prosecutors have absolute immunity for activities performed as "an officer of the court" where the conduct at issue was closely associated with the judicial phase of the criminal process. See Van de Kamp v. Goldstein, 555 U.S. 335, 341-343 (2009). For example, when a prosecutor "prepares to initiate a (continued...)

MOTION TO STAY OR HOLD IN ABEYANCE

On November 2, 2017, Plaintiff filed a motion to stay or to hold his case in abeyance because he was allegedly denied appointment of counsel based solely on his race. However, as explained to the Plaintiff, his motions for appointment of counsel have been denied because there is no right to appointed counsel in § 1983 cases, cf. Hardwick v. Ault, 517 F.2d 295 (5th Cir. 1975), and Plaintiff has not show that any exceptional circumstances exist that would justify appointment of counsel in this civil case or that Plaintiff would be denied due process if counsel is not appointed, see Whisenant v. Yuam, 739 F.2d 160 (4th Cir. 1984); Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975). Instead, Plaintiff has only made a bare assertion that his request has been denied based on his race.

Plaintiff also makes vague claims about access to photocopies, stamps, and envelopes. However, Plaintiff has not named any jail officials or asserted any claims against them in this action, instead making claims against law enforcement officials and a state prosecutor for actions allegedly taken more than seventeen years prior to the filing of this action. He has also filed several lengthy pleadings in this action in which he makes numerous citations to caselaw. Further, although Plaintiff makes a broad statement concerning being prevented from accessing the courts, he fails to allege facts that would support a finding that jail or prison officials' conduct inflicted an "actual injury and prejudice" to him; i.e. that their conduct hindered his efforts to pursue a non-frivolous legal claim.

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[6](...continued)
judicial proceeding," "appears in court to present evidence in support of a search warrant application," or conducts a criminal trial, bond hearings, grand jury proceedings, and pre-trial "motions" hearings, absolute immunity applies. Id. at 343; see also Buckley v. Fitzsimmons, 509 U.S. 259 (1993); Dababnah v. Keller–Burnside, 208 F.3d 467 (4th Cir. 2000). Therefore, Clements is entitled to dismissal as a party Defendant in any event.

See Magee v. Waters, 810 F.2d 451 (4th Cir.1987) ["Courts have required a showing by a complaining prisoner of actual injury or specific harm to him before a claim of lack of access to the courts will be sustained"]. Plaintiff has not alleged that he is not allowed to handwrite copies of documents or pay for copies. Charges for copying services, particularly in the light of available alternatives, do not constitute denial of access to the courts. See, e.g., Lyons v. Clark, 694 F. Supp. 184, 188 (E.D.Va.1988)(inmates do not have unlimited rights to photocopies), aff'd, 887 F.2d 1080 (4th Cir. 1989)[Table]; Johnson v. Moore, 948 F.2d 517, 521 (9th Cir. 1981)(denial of free photocopying does not amount to a denial of access to the courts); Harrell v. Keohane, 621 F.2d 1059, 1061 (10th Cir. 1980); Dugar v. Coughlin, 613 F. Supp. 849, 853 (S.D.N.Y 1985). Thus, Plaintiff's motion to stay should be denied.

Recommendation

Based on the foregoing, it is recommended that Plaintiff's motion to stay/hold case in abeyance (ECF No. 15) be **denied**, and that the Court dismiss Plaintiff's Complaint without prejudice and without issuance and service of process.

Plaintiff's attention is directed to the important notice on the next page.

Bristow Marchant
United States Magistrate Judge

December 19, 2017
Charleston, South Carolina

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Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. "[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Robin L. Blume, Clerk
United States District Court
Post Office Box 835
Charleston, South Carolina 29402

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); Thomas v. Arn, 474 U.S. 140 (1985); Wright v. Collins, 766 F.2d 841 (4th Cir. 1985); United States v. Schronce, 727 F.2d 91 (4th Cir. 1984).

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Additional material from this filing is available in the Clerk's Office.