

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 20-7303

DERRICK MICHAEL ALLEN, SR.,

Plaintiff - Appellant,

v.

ORLANDO F. HUDSON, JR.,

Defendant - Appellee.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Thomas D. Schroeder, Chief District Judge. (1:20-cv-00693-TDS-LPA)

Submitted: December 22, 2020

Decided: January 4, 2021

Before GREGORY, Chief Judge, and AGEE and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Derrick Michael Allen, Sr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Derrick Michael Allen, Sr., appeals the district court's order accepting the recommendation of the magistrate judge and dismissing Allen's 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915(e)(2)(B). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Allen v. Hudson*, No. 1:20-cv-00693-TDS-LPA (M.D.N.C. Aug. 21, 2020). We deny Allen's motions to appoint counsel and for a transcript at government expense. 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

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DERRICK MICHAEL ALLEN, SR.)
)
Plaintiff,)
)
v.) 1:20CV693
)
ORLANDO F. HUDSON, JR.,)
)
Defendant.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on August 3, 2020, was served on the parties in this action. (Text Order and Recommendation dated Aug. 3, 2020; Doc. 5.) Plaintiff objected to the Recommendation. (Doc. 6.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(b).

/s/ Thomas D. Schroeder
United States District Judge

August 21, 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DERRICK MICHAEL ALLEN, SR.)
)
Plaintiff,)
)
v.) 1:20CV693
)
ORLANDO F. HUDSON, JR.,)
)
Defendant.)

JUDGMENT

For the reasons set forth in the Order filed contemporaneously
with this Judgment,

IT IS THEREFORE ORDERED AND ADJUDGED that this action is
dismissed pursuant to 28 U.S.C. § 1915(e)(2)(b).

/s/ Thomas D. Schroeder
United States District Judge

August 21, 2020

FILED: January 4, 2021

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DERRICK MICHAEL ALLEN, SR.

Plaintiff - Appellant

v.

ORLANDO F. HUDSON, JR.

Defendant - Appellee

JUDGMENT

In accordance with the decision of this court, the judgment of the district court is affirmed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK