

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7268

KENNETH A. HINTON; JOHN CUNNINGHAM,

Plaintiffs - Appellants,

versus

WILLIE SCOTT, Warden; WACKENHUT CORRECTIONAL
CORPORATION; PHILIP MORRIS USA, INCORPORATED,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. James C. Fox, Senior
District Judge. (CA-02-944-5-F)

Submitted: September 20, 2004

Decided: October 8, 2004

Before WILLIAMS, MOTZ, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kenneth A. Hinton, John Cunningham, Appellants Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kenneth A. Hinton and John Cunningham appeal the district court's orders dismissing without prejudice their 42 U.S.C. § 1983 (2000) complaint for failure to exhaust administrative remedies and a subsequent order denying their Fed. R. Civ. P. 59 motion for reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Hinton v. Scott, No. CA-02-944-5-F (E.D.N.C. filed July 17, 2003 & entered July 18, 2003; filed Aug. 6, 2003 & entered Aug. 11, 2003). 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