

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7084

MARCUS DARRELL MACK,

Plaintiff - Appellant,

versus

UNITED STATES OF AMERICA; UNITED STATES
DEPARTMENT OF JUSTICE; NORMAN K. MOON; BRUCE
PAGEL; FRANK HARMAN; DAVID R. BEAN, U.S.
PROBATION OFFICER; SNOOK & HAUGHEY, Law Firm;
JOHN LLOYD SNOOK,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, Senior District
Judge. (CA-03-325-7)

Submitted: November 19, 2003

Decided: December 3, 2003

Before WIDENER, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Marcus Darrell Mack, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Marcus Darrell Mack appeals the district court's order dismissing his complaint filed pursuant to Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971), for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1) (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Mack v. United States, No. CA-03-325-7 (W.D. Va. May 16, 2003). Additionally, we decline to consider Mack's prosecutorial misconduct and sentencing arguments, both raised for the first time on appeal. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993). 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