

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7589

MARIO L. BALLARD,

Plaintiff - Appellant,

versus

FEDERAL BUREAU OF INVESTIGATION, Chief;
VIRGINIA STATE POLICE, Chief,

Defendants - Appellees.

No. 04-6630

MARIO BALLARD,

Plaintiff - Appellant,

versus

FEDERAL BUREAU OF INVESTIGATION, Chief; CHIEF
OF VIRGINIA DEPARTMENT STATE POLICE,

Defendants - Appellees.

Appeals from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, Magistrate
Judge; Samuel G. Wilson, Chief District Judge. (CA-03-354-7)

Submitted: June 10, 2004

Decided: July 27, 2004

Before MICHAEL and TRAXLER, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mario L. Ballard, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mario L. Ballard appeals the district court's orders denying relief without prejudice on his complaint challenging the constitutionality of Virginia's Sex Offender and Crimes Against Minors Registry Act, Va. Code Ann. §§ 9.1-900 to 920 (Michie Supp. 2003), and denying his motion to alter or amend the judgment. We agree with the district court that the Virginia statute does not violate the Ex Post Facto Clause. See Smith v. Doe, 538 U.S. 84, 105-06 (2003) (addressing Alaska's sex offender statute); Kitze v. Commonwealth, 475 S.E.2d 830, 832-34 (Va. Ct. App. 1996) (addressing precursor to current version of Virginia sex offender statute). Similarly, we find the remainder of Ballard's claims to be without merit. Accordingly, we affirm for the reasons stated by the district court. See Ballard v. FBI, No. CA-03-354-7 (W.D. Va. Sept. 15, 2003; filed Jan. 20, 2004 & entered Jan. 21, 2004; filed Apr. 5, 2004 & entered Apr. 6, 2004). 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