

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6649

JAMES BEN SMITH,

Plaintiff - Appellant,

versus

WILLIAM SMITH, Sheriff of Lenoir County and
the Manicpality of Lenoir County; JOHN AND
JANE DOES,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Terrence W. Boyle, Chief
District Judge. (CA-04-172-5-BO)

Submitted: September 20, 2004 Decided: December 13, 2004

Before LUTTIG and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

James Ben Smith, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

James Ben Smith appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) complaint as frivolous under 28 U.S.C. § 1915(e)(2). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Smith v. Smith, No. CA-04-172-5-BO (E.D.N.C. Mar. 29, 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