

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7744

PETE SMITH,

Plaintiff - Appellant,

versus

WILLIAM L. OSTEEN,

Defendant - Appellee.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. N. Carlton Tilley, Jr.,
Chief District Judge. (CA-04-494-1)

Submitted: January 13, 2005 Decided: January 21, 2005

Before WIDENER, NIEMEYER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Pete Smith, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Pete Smith appeals the district court's order adopting the report and recommendation of a magistrate judge and dismissing his action filed under Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Smith v. Osteen, No. CA-04-494-1 (M.D.N.C. Oct. 1, 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