

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7093

ANDRE SYLVESTER WATTS,

Plaintiff - Appellant,

versus

TERRY O'BRIEN, Warden; RODNEY MYERS, Unit
Manager of Building I; MS. WILLIS, Case
Manager; STRICKLAND, Assistant Warden; KIM
WHITE, Mid-Atlantic Regional Office,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Glen E. Conrad, District Judge.
(7:06-cv-00269-gec)

Submitted: September 26, 2006

Decided: October 3, 2006

Before WIDENER and WILKINSON, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Andre Sylvester Watts, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM

Andre Sylvester Watts appeals the district court's orders dismissing his Bivens* complaint without prejudice for failure to exhaust administrative remedies and denying his motion filed under Fed. R. Civ. P. 59(e). The district court properly required exhaustion of administrative remedies under 42 U.S.C. § 1997e(a) (2000). Because Watts did not fully exhaust his administrative remedies, we find no error in the court's dismissal of the action without prejudice. Id. Nor did the district court abuse its discretion in denying Watts' Rule 59(e) motion. See Pacific Ins. Co. v. American Nat'l Fire Ins. Co., 148 F.3d 396, 402 (4th Cir. 1998) (providing standard). We therefore affirm the district court's orders. 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

*Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971).