

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1028

BENJAMIN S. PACE, III,

Plaintiff - Appellant,

versus

JACKIE SMITH; ALBERTA SMITH,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Terrence W. Boyle,
District Judge. (5:05-cv-00188-BO)

Submitted: March 23, 2007

Decided: April 27, 2007

Before MICHAEL, TRAXLER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Benjamin S. Pace, III, Appellant Pro Se. John Wayne Welch, Jr.,
KIRK, KIRK, HOWELL, CUTLER & THOMAS, LLP, Wendell, North Carolina,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Benjamin S. Pace, III, appeals the district court's order dismissing his complaint for lack of subject matter jurisdiction. As a preliminary matter, we deny Appellees' motions to dismiss, to strike, and for sanctions. We have also reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Pace v. Smith, No. 5:05-cv-00188-BO (E.D.N.C. Oct. 3, 2005). 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