

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1725

ROBERT EMERSON LAMB,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Newport News. Rebecca Beach Smith,
District Judge. (4:07-cv-000082-RBS-TEM)

Submitted: August 21, 2008

Decided: August 25, 2008

Before WILLIAMS, Chief Judge, and KING and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert Emerson Lamb, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Emerson Lamb appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) complaint and dismissing it for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii) (2000) because it was not filed in a timely manner. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Lamb v. Astrue, No. 4:07-cv-00082-RBS (E.D. Va. June 19, 2008). We deny his motion to expedite as moot. 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