

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1902

WESLEY EDWARD SMITH, III,

Plaintiff - Appellant,

v.

COMMONWEALTH OF VIRGINIA, et al.; TIM KAINE, Governor; J.
KIRK DE COURCEY SHOWALTER; VIRGINIA STATE BOARD OF
ELECTIONS; JAMES VAN INGOLD; ROBERT A. DYBING,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. Robert E. Payne, Senior
District Judge. (3:08-cv-00800-REP)

Submitted: November 17, 2009

Decided: December 1, 2009

Before MICHAEL, SHEDD, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Wesley Edward Smith, III, Appellant Pro Se. Stephen Michael
Hall, Assistant Attorney General, Richmond, Virginia; Robert A.
Dybing, John Adrian Gibney, Jr., THOMPSON MCMULLAN PC, Richmond,
Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Wesley Edward Smith, III, appeals the district court's order dismissing his civil complaint and denying leave to amend the complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Smith v. Virginia, No. 3:08-cv-00800-REP (E.D. Va. July 16, 2009). 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