

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1918

DAVID HARWOOD,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; DEBORAH A. HICKEY, Warden,

Defendants - Appellees.

Appeal from the United States District Court for the Southern District of West Virginia, at Bluefield. R. Clarke VanDervort, Magistrate Judge. (1:08-cv-00060)

Submitted: December 15, 2009

Decided: December 17, 2009

Before MICHAEL and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

David Harwood, Appellant Pro Se. Stephen Michael Horn, Assistant United States Attorney, Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Harwood appeals the magistrate judge's* order dismissing his Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680 (2006) action against Defendants. We have reviewed the record and find no reversible error. Accordingly, we affirm the magistrate judge's order. See Harwood v. United States, No. 1:08-cv-00060 (S.D.W. Va. July 23, 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

* The parties consented to the jurisdiction of the magistrate judge under 28 U.S.C. § 636(c) (2006).