

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6936

KENNETH TRIVETT,

Plaintiff - Appellant,

v.

CORRECTIONS OFFICER DIAZ; UNITED STATES OF AMERICA,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, District Judge. (5:08-ct-03103-D)

Submitted: January 20, 2011

Decided: February 14, 2011

Before NIEMEYER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Kenneth Trivett, Appellant Pro Se. Christina Ann Kelley, BUREAU OF PRISONS, Butner, North Carolina; Rudolf A. Renfer, Jr., Assistant United States Attorney, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenneth Trivett appeals the district court's order denying relief on his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), and under the Federal Tort Claims Act. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Trivett v. Diaz, No. 5:08-ct-03103-D (E.D.N.C. June 24, 2010). We deny the motion to appoint counsel and 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