

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7485

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JOSEPH MARION HEAD, JR.,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Martin K. Reidinger, District Judge. (4:98-cr-00102-MR-1; 1:10-cv-00197-MR)

Submitted: April 28, 2011

Decided: May 27, 2011

Before MOTZ and KEENAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Joseph Marion Head, Jr., Appellant Pro Se. Thomas Richard Ascik, Assistant United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Marion Head, Jr., appeals the district court's order dismissing this action as improvidently filed and docketed. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Head, Nos. 4:98-cr-00102-MR-1; 1:10-cv-00197-MR (W.D.N.C. Sept. 28, 2010). We deny the motions for appointment of counsel and for copies of records and briefs 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