

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 12-6176**

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DAVID EUGENE BRINKLEY,

Plaintiff - Appellant,

v.

THE UNITED STATES OF AMERICA; ROSCOE RAMSEY, Doctor; DOCTOR  
CARLOS DUCHESNE; P. A. GONZALEZ; WARDEN TOMMY JOHNS,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. Terrence W. Boyle,  
District Judge. (5:10-ct-03084-BO)

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Submitted: June 26, 2012

Decided: July 12, 2012

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

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Dismissed by unpublished per curiam opinion.

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David Eugene Brinkley, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Eugene Brinkley appeals the district court's order dismissing under 28 U.S.C. § 1915(e)(2)(B) (2006) this action filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), and the Federal Tort Claims Act. We have reviewed the record and find that this appeal is frivolous. Accordingly, we dismiss the appeal for the reasons stated by the district court. Brinkley v. United States, No. 5:10-ct-03084-BO (E.D.N.C. Mar. 11, 2011 & Jan. 10, 2012). 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.

DISMISSED