

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-6991

ANGELO HAM, a/k/a Angelo Bernard Ham,

Plaintiff - Appellant,

v.

DENNIS PATTERSON; ANTHONY J. PADULA; JAMES C. DEAN; SHARON
PATTERSON; OFFICER S. WILSON,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. J. Michelle Childs, District
Judge. (6:11-cv-00853-JMC)

Submitted: July 18, 2012

Decided: July 20, 2012

Before KING, GREGORY, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Angelo Ham, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Angelo B. Ham appeals the district court's order dismissing his 42 U.S.C. § 1983 (2006) complaint. On appeal, Ham argues that the district court erred in concluding that he did not file objections to the magistrate judge's report and recommendation. A review of the record reveals that Ham did file objections. However, although the district court made an erroneous finding of fact, such error does not require reversal here. United States v. Smith, 395 F.3d 516, 519 (4th Cir. 2005) (this court is "not limited to evaluation of the grounds offered by the district court to support its decision, but may affirm on any grounds apparent from the record").

We have reviewed the record and conclude that the magistrate judge's report and recommendation correctly concluded that Ham failed to state a constitutional violation in his complaint because he did not articulate the denial of a liberty interest. The most specific description of the injury Ham suffered is that "multiple of his privileges and rights were taken for extended periods of time, consecutive." (E.R. 6). Ham does not specify what privileges were taken away as a result of the disciplinary hearing. This vague reference to "loss of privileges" is insufficient to implicate a liberty interest and, thus, Ham does not sufficiently allege the denial of any constitutional right. Accordingly, we affirm the dismissal of

Ham's complaint. 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