

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6852

FRANK ARNOLD NESBITT,

Plaintiff - Appellant,

versus

NORMAN H. MEYER, JR.; JOHN L. MAHONEY,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T. S. Ellis, III, District Judge. (CA-96-696-AM)

Submitted: October 17, 1996

Decided: October 24, 1996

Before MURNAGHAN and WILLIAMS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Frank Arnold Nesbitt, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant appeals from the district court's order dismissing his Bivens* complaint under 28 U.S.C. § 1915(d) (1994), amended by Prison Litigation Reform Act, Pub. L. No. 104-134, 110 Stat. 1321. We have reviewed the record and the district court's opinion and find no reversible error. Although court clerks are not generally entitled to immunity for their ministerial duties, McCray v. Maryland, 456 F.2d 1, 4 (4th Cir. 1972), Appellant's claim of negligence in the clerk's execution of his duties is not cognizable as a constitutional wrong. Daniels v. Williams, 474 U.S. 327 (1986). Accordingly, we affirm the district court's order. 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. Appellant's motion to file an informal brief is granted.

AFFIRMED

* Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971).