

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7330**

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LLOYD GEORGE MAXWELL,

Plaintiff - Appellant,

versus

UNITED STATES OF AMERICA,

Defendant - Appellee.

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Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. David A. Faber, District Judge. (CA-98-580-5)

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Submitted: February 11, 1999

Decided: February 24, 1999

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Before ERVIN, NIEMEYER, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Lloyd George Maxwell, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Lloyd George Maxwell appeals the district court's order dismissing his action seeking return of property under Fed. R. Crim. P. 41(e). We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we grant Maxwell's motion to proceed in forma pauperis, but affirm on the reasoning of the district court. See United States v. Maxwell, No. CA-98-580-5 (S.D.W. Va. Aug. 7, 1998). 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