

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6293

MARTIAL GASTON,

Plaintiff - Appellant,

versus

RICHARD LANHAM, Commissioner; KATHERINE GREEN,
Warden; LIEUTENANT ALEXANDER; DIVISION OF
CORRECTIONS,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. William M. Nickerson, District Judge.
(CA-99-378-WMN)

Submitted: October 8, 1999

Decided: October 26, 1999

Before MURNAGHAN, NIEMEYER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Martial Gaston, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant Martial Gaston appeals the district court's order dismissing his 42 U.S.C.A. § 1983 (West Supp. 1999) action; the action was filed in separate complaints, docketed in the district court as case No. WMN-99-378 and case No. WMN-99-139. The district court dismissed case No. WMN-99-378 because it was actually a supplement to case No. WMN-99-139, and was only docketed as a new case due to administrative confusion in the district court. The district court dismissed case No. WMN-99-139 for failure to state a claim upon which relief could be granted. See 28 U.S.C.A. § 1915(e)(2)(b)(ii) (West Supp. 1999). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm the dismissal of both complaints on the reasoning of the district court. See Gaston v. Lanham, No. CA-99-378-WMN (D. Md. Feb. 17, 1999). 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