

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6199

LEE ROY SMITH,

Plaintiff - Appellant,

versus

MICKEY E. RAY, Warden, FCI Edgefield; J. D. CASTILLO, Health Services Administrator at FCI Edgefield; JOSE A. SERANNO, MD and Clinical Director at FCI Edgefield; JUAN F. CARMONA, JR., Lieutenant at FCI Edgefield; LISA MORGAN-JOHNSON, Counselor at FCI Edgefield; RICK FOX, Unit Manager at FCI Edgefield; DOUGLAS HOLFORD, Contracted Orthopedic Specialist at FCI Edgefield,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Charleston. David C. Norton, District Judge. (CA-01-239-2-18)

Submitted: May 1, 2002

Decided: June 3, 2002

Before WIDENER, NIEMEYER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Lee Roy Smith, Appellant Pro Se. Barbara Murcier Bowens, OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Lee Roy Smith appeals from the dismissal of his Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971) action. We have reviewed the district court's opinion and find no reversible error. Thus, we affirm substantially on the reasoning of the district court. Smith v. Ray, No. CA-01-239-2-18 (D.S.C. Dec. 14, 2001). Additionally, with regard to Smith's retaliation claim, Smith alleges that prison officials retaliated against him on the basis of his past administrative grievances and to prevent him from filing future grievances. However, because access to the grievance procedure is not a constitutionally protected right, Smith's claim must fail. See Adams v. Rice, 40 F.3d 72, 74 (4th Cir. 1994). 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