

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1312

STEPHANIE GREY-SWABY,

Plaintiff - Appellant,

versus

PITT COUNTY MEMORIAL HOSPITAL,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at New Bern. Malcolm J. Howard, District Judge. (CA-04-101-A)

Submitted: August 22, 2005

Decided: September 8, 2005

Before MICHAEL, MOTZ, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Stephanie Grey-Swaby, Appellant Pro Se. Walter Gregory Merritt, HARRIS, CREECH, WARD & BLACKERBY, New Bern, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Stephanie Grey-Swaby appeals the district court's order dismissing her action for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1) because both parties are citizens of North Carolina and she failed to allege any basis for federal jurisdiction. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Grey-Swaby v. Pitt County Mem'l Hosp., No. CA-04-101-A (Jan. 7, 2005). 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