

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-1808**

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DAVID COE; JUDY COE,

Plaintiffs - Appellants,

versus

VANDERBILT MORTGAGE AND FINANCE, INCORPORATED;  
PAUL NICHOLS; JEFF KIRK, Vanderbilt Mortgage  
Manager; HUGH COVINGTON,

Defendants - Appellees.

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Appeal from the United States District Court for the Middle  
District of North Carolina, at Durham. William L. Osteen, District  
Judge. (CA-05-338-1)

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Submitted: November 17, 2005

Decided: November 22, 2005

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Before WILKINSON, LUTTIG, and WILLIAMS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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David Coe, Judy Coe, Appellants Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

David and Judy Coe appeal the district court's order accepting the recommendation of the magistrate judge and denying relief on their 42 U.S.C. §§ 1983, 3604(b), (f) (2000) complaint under 28 U.S.C. § 1915(e)(2)(B) (2000). We have reviewed the record and find that the appeal is frivolous. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal on the reasoning of the district court. See Coe v. Vanderbilt Mortgage & Fin. Inc., No. CA-05-338-1 (M.D.N.C. June 17, 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 in the decisional process.

DISMISSED