

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-6265**

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KEVIN WAYNE MCDANIELS,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; UNITED STATES DEPARTMENT OF JUSTICE; UNITED STATES MARSHAL SERVICE FOR THE DISTRICT OF SOUTH CAROLINA; UNITED STATES MARSHAL JOHNNY MACK BROWN; UNITED STATES MARSHAL PATRICK PRUITT; UNITED STATES MARSHAL RICK KELLEY; UNITED STATES MARSHAL JOHN DOE, served in their individual and official capacities,

Defendants - Appellees.

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Appeal from the United States District Court for the District of South Carolina, at Florence. Terry L. Wooten, District Judge. (4:07-cv-03386-TLW)

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Submitted: June 22, 2009

Decided: July 24, 2009

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Before TRAXLER, Chief Judge, and MICHAEL and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Kevin Wayne McDaniels, Appellant Pro Se. Beth Drake, Assistant United States Attorney, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin Wayne McDaniels appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), and the Federal Tort Claims Act, 28 U.S.C. §§ 2671 - 2680 (2006). We have reviewed the record and find no reversible error. Accordingly, we deny McDaniels's motions for appointment of counsel, injunctive relief, default judgment, and production of documents, and affirm the judgment of the district court. McDaniels v. United States, No. 4:07-cv-03386-TLW (D.S.C. Jan. 28, 2009). 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