

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-6244

DONALD EDWARD SMITH,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; JENNIFER ADKINS, FNP,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:19-ct-03332-BO)

Submitted: November 22, 2022

Decided: November 28, 2022

Before HARRIS and RICHARDSON, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Donald Edward Smith, Appellant Pro Se. Sharon Coull Wilson, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Donald Edward Smith appeals the district court's order dismissing his claim under *Bivens** for failure to state a claim and his claim under the Federal Tort Claims Act for lack of subject matter jurisdiction. We have reviewed the record and discern no reversible error. Accordingly, we affirm. *Smith v. United States*, No. 5:19-ct-03332-BO (E.D.N.C. Feb. 17, 2022). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).