

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6730

CLEVELAND WINSTON KILGORE,

Plaintiff - Appellant,

v.

ERIC H. HOLDER, JR., Attorney General; W. WALTER WILKINS;
DARLENE DREW, Warden; TODD FELTS; DEWIGHT CASH; LEONARD
MILLER, G. JACKSON, John Doe 1,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Beaufort. Henry F. Floyd, District Judge.
(9:08-cv-03545-HFF)

Submitted: June 18, 2009

Decided: June 25, 2009

Before NIEMEYER, GREGORY, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Cleveland Winston Kilgore, Appellant Pro Se. Barbara Murcier
Bowens, Assistant United States Attorney, Columbia, South
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Cleveland W. Kilgore, a federal prisoner, filed a civil rights complaint pursuant to Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971). Kilgore appeals the district court's order accepting the magistrate judge's recommendation to dismiss his complaint without prejudice for failure to exhaust administrative remedies. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Kilgore v. Holder, No. 9:08-cv-03545-HFF (D.S.C. Apr. 10, 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