

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 05-7111**

---

MICHAEL ERIC HORNES,

Plaintiff - Appellant,

versus

KEVIN, WENDT, Warden; M. ARNOLD, Captain; D. BROWN, I.S.M.; A. TEMPLES, S.O.E.; YEAGER, Tech; M. VELTRI, Unit Manager; D. JONES, Case Manager; J. OSTEEEN, Case Manager; R. REED, Counselor; J. MULLER, Officer; UNKNOWN MAIL ROOM WORKERS; T. PAGE, Officer; UNKNOWN OFFICERS; DEEDS, Counselor; M. WHINNERY, Officer; UNKNOWN SHU OFFICERS,

Defendants - Appellees.

---

Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. W. Craig Broadwater, District Judge. (CA-04-261-1)

---

Submitted: January 26, 2006

Decided: February 1, 2006

---

Before LUTTIG, WILLIAMS, and GREGORY, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Michael Eric Hornes, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael Eric Hornes appeals the district court's order dismissing his Bivens\* action without prejudice for failure to pay the filing fee in accordance with 28 U.S.C. § 1914 (2000). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Hornes v. Wendt, No. CA-04-261-1 (N.D.W. Va. July 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

---

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