

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7622

PHILLIP SMALL,

Plaintiff - Appellant,

and

JONATHAN BREEDLOVE; DANELLE HURDLE; KENRICK
WILLIAMS,

Plaintiffs,

versus

STREATER,

Defendant - Appellee,

and

RICK JACKSON; TERRY,

Defendants.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Graham C. Mullen, Senior
District Judge. (CA-04-193-3)

Submitted: January 19, 2006

Decided: January 26, 2006

Before WILKINSON, TRAXLER, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Phillip Small, Appellant Pro Se. Yvonne Bulluck Ricci, NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Phillip Small appeals the district court's order dismissing his 42 U.S.C. § 1983 (2000) complaint for failure to exhaust administrative remedies. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Small v. Streater, CA-04-193-3 (W.D.N.C. Sept. 29, 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