

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7320

JOHNNY M. BROWN,

Plaintiff - Appellant,

versus

UNITED STATES ATTORNEY'S OFFICE, Washington,
D.C., Individually and in their official
capacities; JEAN B. HUDSON, Assistant United
States Attorney, Charlottesville, Virginia,
Individually and in their official capacities,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Claude M. Hilton, Senior
District Judge. (1:06-cv-00582-CMH)

Submitted: December 20, 2006

Decided: January 9, 2007

Before NIEMEYER, WILLIAMS, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Johnny M. Brown, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Johnny M. Brown appeals the district court's order dismissing this action brought pursuant to the Federal Tort Claims Act. We have reviewed the record and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for the reasons stated by the district court. Brown v. United States Attorney's Office, No. 1:06-cv-00582-CMH (E.D. Va., filed July 10, 2006; entered July 11, 2006). We deny the motion for appointment of counsel and 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.*

DISMISSED

*The district court incorrectly identified Brown as a Virginia state prisoner. Brown is a federal prisoner who must challenge his conviction and sentence in a motion filed pursuant to 28 U.S.C. § 2255 (2000). The district court is directed to issue an amended order reflecting these corrections.