

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-7390

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DAVID JOE SHELTON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James P. Jones, Chief District Judge. (7:06-cv-00422-jpj)

Submitted: January 25, 2007

Decided: January 30, 2007

Before WIDENER and MICHAEL, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

David Joe Shelton, Appellant Pro Se. Steven Randall Ramseyer, Dennis H. Lee, OFFICE OF THE UNITED STATES ATTORNEY, Abingdon, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Joe Shelton appeals the district court's order dismissing without prejudice the civil action he brought challenging his conviction. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See United States v. Shelton, No. 7:06-cv-00422-jpj (W.D. Va. July 19, 2006). 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