

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-1560**

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ANTHONY WENDELL SPENCE,

Plaintiff - Appellant,

versus

UNITED STATES CIA,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, Chief District Judge. (5:07-cv-00138-FL)

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Submitted: October 18, 2007

Decided: October 22, 2007

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Before WILKINSON, NIEMEYER, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Anthony Wendell Spence, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Wendell Spence appeals the district court's order accepting the recommendation of the magistrate judge and dismissing Spence's civil action as frivolous and for failure to state a claim. 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. See Spence v. United States, No. 5:07-cv-00138-FL (E.D.N.C. May 10, 2007). 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.

DISMISSED