

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

No. 07-6243

---

THEODORE WAGNER,

Plaintiff - Appellant,

versus

UNITED STATES OF AMERICA,

Defendant - Appellee.

---

Appeal from the United States District Court for the District of South Carolina, at Columbia. Patrick Michael Duffy, District Judge. (3:06-cv-02838-PMD)

---

Submitted: June 21, 2007

Decided: June 28, 2007

---

Before NIEMEYER, WILLIAMS, and SHEDD, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Theodore Thomas Wagner, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Theodore Wagner appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his 42 U.S.C. § 1983 (2000) complaint under 28 U.S.C. § 1915A(b) (2000). We have reviewed the record and find that this appeal is frivolous. Accordingly, we dismiss the appeal for the reasons stated by the district court. Wagner v. United States, No. 3:06-cv-02838-PMD (D.S.C. Jan. 17, 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