

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-6271

UNITED STATES OF AMERICA,

Petitioner - Appellee,

versus

BRYAN LUTHER THOMAS,

Respondent - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (5:06-hc-02152-BR)

Submitted: October 19, 2007

Decided: November 6, 2007

Before WILKINSON, MOTZ, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas P. McNamara, Federal Public Defender, Jane E. Pearce, Assistant Federal Public Defender, Diana Pereira, Research and Writing Specialist, Raleigh, North Carolina, for Appellant. George E. B. Holding, United States Attorney, Anne M. Hayes, Assistant United States Attorney, David Huband, Special Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bryan Luther Thomas appeals the district court's order of civil commitment under 18 U.S.C. § 4246 (2000). He contends the evidence was insufficient to support the district court's conclusion that if released, he would pose a substantial risk of bodily injury or serious damage to the property of others. In light of the evidence presented to the district court, we conclude its finding of substantial risk is not clearly erroneous. Accordingly, we affirm for the reasons stated by the district court. See United States v. Thomas, No. 5:06-hc-02152-BR (E.D.N.C. Feb. 7, 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.

AFFIRMED