

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1092

JOHN WILLIAM GILBERT,

Plaintiff - Appellant,

v.

SEAN ISHAM, Park Ranger, National Park Service,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Harrisonburg. Glen E. Conrad, District Judge. (5:07-cv-00075-gec)

Submitted: June 26, 2008

Decided: June 30, 2008

Before KING and DUNCAN, Circuit Judges, and WILKINS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

John William Gilbert, Appellant Pro Se. Anthony Paul Giorno, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John William Gilbert appeals the district court's order denying relief on his civil rights complaint.* We have reviewed the record and find no reversible error. Accordingly, we affirm on the district court's reasoning that the action was barred by the doctrine of collateral estopped. Allen v. McCurry, 449 U.S. 90 (1980). Gilbert v. Isham, No. 5:07-cv-0075-gec (W.D. Va. Dec 5, 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

*Although the action was addressed below as one pursuant to 42 U.S.C. § 1983 (2000), because the Defendant is a federal officer and the complaint of conduct involved a federal misdemeanor conviction, the action is one under Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971).