

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1844**

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DAVID BABB,

Plaintiff - Appellant,

v.

DRUG ENFORCEMENT ADMINISTRATION,

Defendant - Appellee,

and

WILLIAM LUNSFORD, Seizing DEA Agent,

Defendant.

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Appeal from the United States District Court for the District of South Carolina, at Greenville. Henry M. Herlong, Jr., District Judge. (6:97-cv-01553-HMH)

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Submitted: December 12, 2008

Decided: December 31, 2008

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Before TRAXLER and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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David Babb, Appellant Pro Se. Marvin Jennings Caughman, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Anthony Babb appeals from the district court's oral order in this civil forfeiture case denying his motion to void its earlier judgment under Fed. R. Civ. P. 60(b)(4). We have reviewed the record and the arguments of the parties and find no reversible error. See Schwartz v. United States, 976 F.2d 213, 217 (4th Cir. 1992) (providing standard in Rule 60(b)(4) action). Accordingly, we affirm. 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