

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-8280

TIMMY MCDONALD,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA, a/k/a United States Federal Bureau
of Prisons, a/k/a United States Department of Justice; S. L.
HAMLING, Sr. Off. Specialist; DEBORAH LIVINGSTON, Discip.
Hrg Officer; K. M. WHITE, Reg. Director; HARRELL WATTS,
Admin. Nat'l; UNKNOWN EMPLOYEES OF FEDERAL CORRECTIONAL
INSTITUTION GILMER,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Elkins. Robert E. Maxwell, Senior
District Judge. (2:07-cv-00082-REM-JSK)

Submitted: April 15, 2009

Decided: May 13, 2009

Before NIEMEYER, MICHAEL, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Timmy McDonald, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Timmy McDonald appeals the district court's order accepting the recommendation of the magistrate judge and dismissing under 28 U.S.C. §§ 1915(e)(2), 1915A (2006) his complaint filed pursuant to the Federal Tort Claims Act (FTCA) and Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. McDonald v. United States, No. 2:07-cv-00082-REM-JSK (N.D. W. Va. Oct 14, 2008). 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