

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1929

SAKIMA IBAN SALIH EL BEY,

Plaintiff - Appellant,

v.

ROBERT S. MUELLER, III, Director, Federal Bureau of
Investigation,

Defendant - Appellee.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. Sol Blatt, Jr., Senior District
Judge. (3:09-cv-01216-SB)

Submitted: November 17, 2009

Decided: November 20, 2009

Before WILKINSON, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Sakima Iban Salih El Bey, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sakima Iban Salih El Bey appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice his civil complaint, which sought a declaratory judgment as a national of the United States pursuant to 8 U.S.C. § 1503(a) (2006) and 28 U.S.C. § 2201(a) (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order on the ground that El Bey failed to show that he "claims a right or privilege as a national of the United States and [was] denied such right or privilege by any department or independent agency, or official thereof, upon the ground that he is not a national of the United States." 8 U.S.C. § 1503(a); see El Bey v. Mueller, No. 3:09-cv-01216-SB (D.S.C. Aug. 12, 2009). 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