

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 09-2277**

---

DAVID HENRY ROGERS,

Plaintiff - Appellant,

v.

R. S. BURKE, JR. as Agent for the U.S. Veterans  
Administration, personally and individually; U.S. VETERANS  
ADMINISTRATION,

Defendants - Appellees.

---

Appeal from the United States District Court for the Eastern  
District of North Carolina, at New Bern. Louise W. Flanagan,  
Chief District Judge. (5:09-cv-00068-FL)

---

Submitted: May 20, 2010

Decided: May 24, 2010

---

Before WILKINSON, NIEMEYER, and DAVIS, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

David Henry Rogers, Appellant Pro Se. Edward D. Gray, Assistant  
United States Attorney, Raleigh, North Carolina, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Henry Rogers appeals the district court's order dismissing his claims of "malfeasance" and intentional infliction of emotional distress against the Veterans' Administration and one of its officials. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Rogers v. Burke, No. 5:09-cv-00068-FL (E.D.N.C. Nov. 3, 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