

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6078

BENNIE A. MACK, JR.,

Plaintiff - Appellant,

v.

CARL R. FOX, in his individual capacity and in his official capacity as Resident Superior Court Judge for the 15B Judicial District of North Carolina; JAMES WOODALL, in his individual capacity and in his official capacity as District Attorney for the 15B Prosecutorial District of North Carolina; KENNETH C. TITUS, in his individual capacity and in his official capacity as a Superior Court Judge with the State of North Carolina; JOSEPH MOODY BUCKNER, in his individual capacity and in his official capacity as District Court Judge for the 15B Prosecutorial District of North Carolina; RIPLEY RAND, in his individual capacity and in his official capacity as a Superior Court Judge within the State of North Carolina, North Carolina State Bureau of Investigation; KEVIN SNEAD, in his individual capacity and in his official capacity as a special agent for the North Carolina State Bureau of Investigation; ORANGE COUNTY NORTH CAROLINA MAGISTRATE'S OFFICE, Orange County, North Carolina; REX FREDERICKS, in his individual capacity and in his official capacity as an Orange County Magistrate; LOY LONG, in his individual capacity and in his official capacity as an Orange County Magistrate; GERALD R. KOELLING, in his individual capacity and in his official capacity as an Orange County Magistrate; LUCIOUS CHESHIRE, in his individual capacity and in his official capacity as an Orange County Magistrate; JAMES C. STANFORD, in his individual capacity and in his official capacity as the Orange County, North Carolina Clerk of Superior Court; ANAND P. RAMASWAMY, in his individual capacity and in his official capacity as Assistant District Attorney for the 15B Prosecutorial District of North Carolina; MOSES CAREY, JR., in his individual capacity and in his official capacity as

Chairman of Orange County Commissioners; ALLEN BADDOUR, in his individual capacity and in his official capacity as Resident Superior Court Judge in the 15B Judicial District of North Carolina; ORANGE COUNTY NORTH CAROLINA,

Defendants - Appellees.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. N. Carlton Tilley, Jr., Senior District Judge. (1:07-cv-00760-NCT-WWD)

Submitted: May 28, 2009

Decided: June 8, 2009

Before WILKINSON, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Bennie A. Mack Jr., Appellant Pro Se. Grady L. Balentine, Jr., Special Deputy Attorney, Raleigh, North Carolina, Gerald Patrick Murphy, Assistant Attorney General, Raleigh, North Carolina, James R. Morgan, Jr., Robert T. Numbers, II, WOMBLE, CARLYLE, SANDRIDGE & RICE, PLLC, Winston-Salem, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bennie A. Mack, Jr., appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his 42 U.S.C. § 1983 (2006) complaint under 28 U.S.C. § 1915(e)(2)(B) (2006). We have reviewed the record and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal for the reasons stated by the district court. Mack v. Fox, No. 1:07-cv-00760-NCT-WDD (M.D.N.C. Dec. 10, 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.

DISMISSED