

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6243

JOSEPH M. JOHNSTON,

Petitioner - Appellant,

v.

KRISTIAN N. ALLEN, District Attorney,

Respondent - Appellee.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Wallace W. Dixon, Magistrate Judge. (1:09-cv-00046-UA-WWD)

Submitted: June 22, 2009

Decided: June 30, 2009

Before MICHAEL, TRAXLER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Joseph M. Johnston, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph M. Johnston appeals the district court's order denying his petition for writ of mandamus. 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. Johnston v. Allen, No. 1:09-cv-00046-UA-WWD (M.D.N.C. Jan. 22, 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.

DISMISSED