

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-7566

SAM FRANKLIN DAVIS, III,
Plaintiff - Appellant,

v.

STATE OF NORTH CAROLINA; ROBERT ERWING, Attorney at Law; INA
WEINMAN, Prosecutor; CANDI RENEE COOK, Victim,

Defendants - Appellees.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. Thomas David Schroeder,
District Judge. (1:09-cv-00333-TDS-PTS)

Submitted: October 20, 2009

Decided: October 27, 2009

Before TRAXLER, Chief Judge, NIEMEYER, Circuit Judge, and
HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Sam Franklin Davis, III, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Sam Franklin Davis, III, 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 affirm for the reasons stated by the district court. Davis v. North Carolina, No. 1:09-cv-00333-TDS-PTS (M.D.N.C. Aug. 11, 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