

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7977**

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MICHAEL S. GORBHEY,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; CONGRESS; UNITED STATES DEPARTMENT  
OF JUSTICE; IRENE M. KEELEY, Federal Judge,

Defendants - Appellees.

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Appeal from the United States District Court for the Southern  
District of West Virginia, at Charleston. Joseph R. Goodwin,  
Chief District Judge. (2:09-cv-00313)

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Submitted: May 17, 2010

Decided: June 1, 2010

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Before KING, GREGORY, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Michael S. Gorbey, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael S. Gorbey appeals the district court's order accepting the magistrate judge's recommendation that Gorbey's claims, which the court construed as being filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), be dismissed. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Gorbey v. United States, No. 2:09-cv-00313 (S.D. W. Va. Sept. 30, 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