

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-8104**

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RAPHAEL MENDEZ,

Plaintiff - Appellant,

v.

W. EARL BRITT, Federal Judge; JAMES B. CRAVEN, III, Federal  
Appointed Counsel; ALAN DUBOIS, Federal Appointed Attorney;  
JANE E. PEARCE, Federal Appointed Attorney,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. James C. Dever III,  
District Judge. (5:08-ct-03135-D)

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Submitted: January 14, 2010

Decided: January 22, 2010

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Before MOTZ, GREGORY, and SHEDD, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Raphael Mendez, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Raphael Mendez seeks to appeal the district court's order denying relief on his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). We have reviewed the record and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss the appeal as frivolous. We also deny the motion to "notice of error". 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