

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6865

DANIEL PROFIT DAVIS,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA; CHATMAN, in her individual and official capacity as Physician's Assistant; DEE, in her individual and official capacity as Physician's Assistant; DOCTOR PHILLIPS, in his individual and official capacity as Physician; KERRY MODERN, in his individual and official capacity as Counselor; X-RAY TECHNICIAN, in his individual and official capacity as X-Ray Technician,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Louise W. Flanagan, Chief District Judge. (5:08-ct-03130-FL)

Submitted: September 28, 2010 Decided: October 6, 2010

Before WILKINSON, SHEDD, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Daniel Profit Davis, Appellant Pro Se. Matthew Fesak, Assistant United States Attorney, Tobin Webb Lathan, Michael Gordon James, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Daniel Profit Davis, a federal inmate, appeals the district court's order granting summary judgment to the United States and dismissing his civil action filed pursuant to the Federal Tort Claims Act ("FTCA"), 28 U.S.C. §§ 2671 to 2680 (2006). We review a district court's grant of a motion for summary judgment de novo, applying the same legal standards as the district court. Nader v. Blair, 549 F.3d 953, 958 (4th Cir. 2008). Summary judgment shall be granted "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(a). Thus, summary judgment is appropriate when it is clear that no genuine issue of material fact remains unresolved and an inquiry into the facts is unnecessary to clarify the application of the law. Haavistola v. Community Fire Co. of Rising Sun, 6 F.3d 211, 214 (4th Cir. 1993). We have reviewed the record and the district court's order and affirm for the reasons stated by the district court. Davis v. United States, No. 5:08-ct-03130-FL (E.D.N.C. May 18, 2010). 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