

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6829

ERIC HOUSTON,

Plaintiff - Appellant,

v.

TERRY O'BRIEN, Warden; CAPTAIN GILMORE; CHEATUM, Assistant
Warden; HOLZAFPHEL, Lt.; FANNING; J. IRVIN; T. DIAMOND;
KRAMER; JOHN DOE; J. SQUARES; J. HARTER,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp,
Jr., Senior District Judge. (5:11-cv-00052-FPS-JSK)

Submitted: September 29, 2011

Decided: October 5, 2011

Before KING, GREGORY, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eric Houston, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Eric Houston appeals the district court's order dismissing his complaint filed pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), without prejudice for failure to prosecute. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Houston v. O'Brien, No. 5:11-cv-00052-FPS-JSK (N.D.W. Va. June 17, 2011). 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