

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1854

KEVIN C. UMPHREYVILLE,

Plaintiff - Appellant,

v.

THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, Harrisonburg Division; THE U. S. FOURTH CIRCUIT
COURT OF APPEALS,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. James C. Fox, Senior
District Judge. (5:12-cv-00635-F)

Submitted: October 24, 2013 Decided: November 21, 2013

Before WYNN, DIAZ, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kevin C. Umphreyville, Appellant Pro Se. Edward D. Gray,
Assistant United States Attorney, Raleigh, North Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin C. Umphreyville appeals the district court's order and judgment dismissing his complaint brought pursuant to the Federal Tort Claims Act. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.* Umphreyville v. USDC, WDVA, No. 5:12-cv-00635-F (E.D.N.C. June 12, 2013). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* Although this court has been named as a defendant-appellee in this action, we exercise our discretion to decide the appeal pursuant to the Rule of Necessity. United States v. Will, 449 U.S. 200, 211-17, 101 S. Ct. 471, 66 L.Ed.2d 392 (1980).