

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2139

MARK ALLEN WASMUTH, a living Immortal Spiritual being, a living physical man; MEREDITH PHILLIPPI WASMUTH, a living Immortal Spiritual being, a living physical woman,

Plaintiffs - Appellants,

v.

SANJIV DAS, Acting artificially as a ordinary/officer/president for CitiMortgage Inc; PAUL INCE, Acting artificially as ordinary/officer/CFO for CitiMortgage Inc; JERRY OCHELTREE, Acting artificially as ordinary/officer/president for First Bank Inc; ERIC P. CREDLE, Acting artificially as a ordinary/officers for First Bank Inc; JOHN WALSH, Acting artificially as an ordinary/Comptroller of the Currency; BILL BECKMANN, Acting artificially as a ordinary/officers for MERS; MARIA LEONOR GERHOLDT, Acting artificially as officers for Nationwide Title Clearing and agent for the State of Florida; DONALD R. KIMBLE, Acting artificially as a ordinary/officer for Huntington Bancshares Inc; STEPHEN D. STEINOUR, Acting artificially as a ordinary/officer for Huntington Bancshares Inc; MARY JO MCGOWAN, Acting artificially for Nationwide Title Clearing; MARY JO MCGOWAN, Acting artificially as a ordinary/officers for Huntington Bank Shares; UNITED STATES OF AMERICA,

Defendants - Appellees.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. James A. Beaty, District Judge. (1:11-cv-01013-JAB-JLW)

Submitted: March 25, 2014

Decided: March 27, 2014

Before GREGORY, KEENAN, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Mark Allen Wasmuth; Meredith Phillippi Wasmuth, Appellants Pro Se. Donald Richard Pocock, NELSON MULLINS RILEY & SCARBOROUGH, LLP, Winston-Salem, North Carolina; David A. Senter, Sr., NEXSEN PRUET, PLLC, Greensboro, North Carolina; Gill Paul Beck, Sr., Joan Brodish Binkley, Assistant United States Attorneys, Greensboro, North Carolina; Pamela P. Keenan, KIRSCHBAUM, NANNEY, KEENAN & GRIFFIN, PA, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Allen Wasmuth and Meredith Phillippi Wasmuth appeal the district court's order accepting the recommendation of the magistrate judge and setting aside the state court's entry of default and default judgment against John Walsh, dismissing the claims against Walsh and the United States for failure to exhaust administrative remedies, and remanding the action against the remaining defendants to state court. We have reviewed the record and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we affirm for the reasons stated by the district court. Wasmuth v. Das, No. 1:11-cv-01013-JAB-JLW (M.D.N.C. Aug. 26, 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