

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-7907

ARTHUR LEE HAIRSTON, SR.,

Plaintiff - Appellant,

v.

ERIC H. HOLDER, JR., Attorney General; CHARLES SAMUELS,
Director F.B.O.P.; HARRELL WATTS, National Inmate Appeals;
C. EICHENLAUB, Regional Director; ERIC WILSON, Warden;
KATHERINE LAYBOURN, Dr.; PAUL KELLY, Case Manager
Coordinator; ANGELA TOMLINSON, Camp Unit Manager,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. T.S. Ellis, III, Senior
District Judge. (1:13-cv-00682-TSE-IDD)

Submitted: April 24, 2014

Decided: May 22, 2014

Before WILKINSON and DIAZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed as modified by unpublished per curiam opinion.

Arthur Lee Hairston, Sr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arthur Lee Hairston, Sr., appeals from the district court's order dismissing his complaint with prejudice for failure to state a claim under 28 U.S.C. § 1915A (2012). We have reviewed the complaint, as well as Hairston's informal brief and the district court record, and we conclude that the dismissal was proper. See Hairston v. Holder, No. 1:13-cv-00682-TSE-IDD (E.D. Va. Nov. 7, 2013). However, we modify the district court's order to show that the dismissal was without prejudice to Hairston's refiling his complaint. 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 AS MODIFIED