Michael Prozer, III v. US

Appeal: 14-7798 Doc: 13 Filed: 05/01/2015 Pg: 1 of 2

Doc. 405445408

UNPUBLISHED

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 14-7798

MICHAEL ANTHONY PROZER, III,

Plaintiff - Appellant,

v.

UNITED STATES OF AMERICA,

Defendant - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Beaufort. Timothy M. Cain, District Judge. (9:14-cv-01249-TMC)

Submitted: April 28, 2015 Decided: May 1, 2015

Before MOTZ and WYNN, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Michael Anthony Prozer, III, Appellant Pro Se. Barbara Murcier Bowens, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Anthony Prozer, III, appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his complaint filed under the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b)(1), 2671-2680 (2012). We have reviewed the issues Prozer raises in his informal opening and supplemental briefs and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.*

Prozer v. United States, No. 9:14-cv-01249-TMC (D.S.C. Nov. 25, 2014). We deny Prozer's motion to stay his appeal and his motions for injunctive relief. 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

^{*} Prozer argues that the district court assessed his complaint under 42 U.S.C. § 1983 (2012), citing one such reference on the judgment form. But the magistrate judge and the district court properly analyzed Prozer's claims under the Federal Tort Claims Act. The error on the judgment form is plainly a clerical one.