

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6562

JOHN GARVIN,

Petitioner - Appellant,

v.

WARDEN WILLIAM, of Lieber Correctional Institution,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at
Charleston. David C. Norton, District Judge. (2:18-cv-00409-DCN)

Submitted: October 23, 2018

Decided: October 25, 2018

Before NIEMEYER, KING, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John Dwayne Garvin, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

John Dwayne Garvin appeals the district court's order accepting the recommendation of the magistrate judge and dismissing without prejudice his 28 U.S.C. § 2254 (2012) petition for failure to exhaust state court remedies. We have reviewed the record and find no reversible error. Accordingly, we grant leave to proceed in forma pauperis and affirm. We deny as unnecessary a certificate of appealability. *See Harbison v. Bell*, 556 U.S. 180, 183 (2009). 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