

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1622

HERBERT CLARK, III,

Plaintiff - Appellant,

v.

JOHN E. WHITLEY, Acting Secretary of the Army,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. Louise W. Flanagan, District Judge. (5:19-cv-00184-FL)

Submitted: February 1, 2021

Decided: February 10, 2021

Before MOTZ, DIAZ, and THACKER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Herbert Clark, III, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Herbert Clark, III, appeals the district court's order accepting the magistrate judge's recommendation and dismissing Clark's Fed. R. Civ. P. 60(b) motion for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B).^{*} We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Clark v. McCarthy*, No. 5:19-cv-00184-FL (E.D.N.C. Apr. 2, 2020). 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

^{*} Clark has waived review of the district court's rejection of his claim for independent action by failing to address the court's ruling on that claim in his informal brief. See 4th Cir. R. 34(b).