

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-2388

SALIM HAKIMI,

Plaintiff - Appellant,

v.

THE UNITED STATES OF AMERICA; MARY LOISELLE, Field Office
Director for Detention & Removal, Immigration and Customs
Enforcement, in her individual capacity; DOES 1 through 11,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Claude M. Hilton, Senior
District Judge. (1:08-cv-00075-CMH-TRJ)

Submitted: September 10, 2009

Decided: October 2, 2009

Before WILKINSON, SHEDD, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Dean E. Wanderer, DEAN E. WANDERER & ASSOCIATES, Fairfax,
Virginia, for Appellant. Dana J. Boente, Acting United States
Attorney, Lauren A. Wetzler, Assistant United States Attorney,
Alexandria, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Salim Hakimi, a native and citizen of Afghanistan, appeals the district court's order granting the United States' and the remaining Defendants' motion to dismiss his action filed pursuant to the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346 (2006), and Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971). Hakimi alleged his Fourth and Fifth Amendment rights were violated when he was arrested and detained pending a final determination by an immigration judge as to his removability. We have reviewed the record and the district court's order and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Hakimi v. United States, No. 1:08-cv-00075-CMH-TRJ (E.D. Va. filed Nov. 18, 2008; entered Nov. 19, 2008). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED