

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-7184**

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GREGORY BARTKO,

Plaintiff - Appellant,

v.

CLAY CAMPBELL WHEELER; SCOTT B. HOLLENBECK; GEORGE E.B. HOLDING, Individually and as United States Attorney, for the Eastern District of North Carolina; U. S. ATTORNEY THOMAS G. WALKER, Individually and as United States Attorney for the Eastern District of North Carolina,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, Chief District Judge. (5:14-ct-03043-D)

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Submitted: December 31, 2014

Decided: January 15, 2014

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Before AGEE, KEENAN, and FLOYD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Gregory Bartko, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gregory Bartko appeals the district court's orders transferring this action to the Eastern District of North Carolina, denying his recusal motion, and dismissing his complaint. We have reviewed the record and find no reversible error. As to Bartko's recusal motion, we conclude that the district court's failure to "pass on the legal sufficiency of the facts alleged" in Bartko's 28 U.S.C. § 144 (2012) declaration is not reversible error because the affidavit was insufficient as a matter of law. Sine v. Local No. 992 Int'l Bhd. of Teamsters, 882 F.2d 913, 914 (4th Cir. 1989). We affirm the transfer order and the dismissal of the complaint for the reasons stated by the district court. Bartko v. Wheeler, No. 5:14-ct-03043-D (E.D.N.C. July 18, 2014); Bartko v. Wheeler, No. 1:13-cv-01006-JAB-LPA (M.D.N.C. Feb. 10, 2014). We grant Bartko's motion to exceed the length limitations for his informal brief. 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