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United States Court of Appeals For the First Circuit

No. 03-2115

HERBERT D. BERKSON,
Plaintiff, Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE, ET AL.,
Defendants, Appellees.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

[Hon. Rya W. Zobel, U.S. District Judge]

Before

Torruella, Circuit Judge,
Stahl, Senior Circuit Judge,
and Lynch, Circuit Judge.

Herbert D. Berkson on brief pro se.
Gina Y. Walcott-Torres, United States Attorneys Office, on
appellees' Motion to Dismiss Appeal or for Summary Disposition.

July 9, 2004

Per Curiam. Herbert D. Berkson, appeals the district court's dismissal of his complaint alleging a cause of action under the Federal Tort Claims Act.

This appeal is dismissed as wholly without merit. Petitioner fails to explain "how or why" the dismissal was "at odds with . . . governing law" on any ground. See Ryan v. Royal Ins. Co. of Am., 916 F.2d 731, 734 (1st Cir. 1990); Blake v. Pellegrino, 329 F.3d 43, 50 (1st Cir. 2003); Acevedo-Garcia v. Monroig, 351 F.3d 547, 561 (1st Cir. 2003). Furthermore, the district court properly dismissed Petitioner's complaint for the reasons stated in its Order.

Dismissed with prejudice. Local R. 27(c).