

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6961**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOHNNY MACK BROWN,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CR-94-27, CA-99-346-7)

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Submitted: November 21, 2002

Decided: November 27, 2002

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Before NIEMEYER, WILLIAMS, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Ellen Bowyer, TROUTMAN SANDERS, L.L.P., Richmond, Virginia, for Appellant. Jean Barrett Hudson, OFFICE OF THE UNITED STATES ATTORNEY, Charlottesville, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Johnny M. Brown seeks to appeal the district court's order denying relief on his motion filed under 28 U.S.C. § 2255 (2000). We have reviewed the record and conclude for the reasons stated by the district court that Brown has not made a substantial showing of the denial of a constitutional right. See United States v. Brown, Nos. CR-94-27; CA-99-346-7 (W.D. Va. June 16, 2000). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). 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.

DISMISSED