

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 00-7509**

---

JOHN D. STRASSINI,

Plaintiff - Appellant,

and

JORGE PALACIO,

Plaintiff,

versus

UNITED STATES OF AMERICA; BUREAU OF PRISONS,

Defendants - Appellees.

---

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-00-547-5-H)

---

Submitted: April 6, 2001

Decided: April 20, 2001

---

Before WILKINS, NIEMEYER, and MICHAEL, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

John D. Strassini, Appellant Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John D. Strassini appeals the district court's order construing his claim as one for habeas relief under 28 U.S.C.A. § 2255 (West Supp. 2000) and dismissing for lack of jurisdiction. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Strassini, No. CA-00-547-5-H (E.D.N.C. Oct. 3, 2000). We grant Strassini's motion to proceed in forma pauperis on appeal. 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