

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7051

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERIC DEWAYNE SPENCER, a/k/a High School,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Charles H. Haden II, Chief District Judge. (CR-99-12)

Submitted: October 18, 2001

Decided: October 29, 2001

Before MOTZ and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Eric Dewayne Spencer, Appellant Pro Se. Monica Kaminski Schwartz, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Eric Dewayne Spencer appeals the district court's order denying his motion for new trial and subsequent motion for reconsideration of that denial. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and affirm on the reasoning of the district court. United States v. Spencer, No. CR-99-12 (S.D.W. Va. Apr. 30 & June 4, 2001). We further deny Spencer's motions for injunctive relief and for designation of records. 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