

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7132

KENT ALLEN RICHARDSON,

Petitioner - Appellant,

versus

NORTH CAROLINA DEPARTMENT OF CORRECTION,

Respondent - Appellee.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Graham C. Mullen, Chief
District Judge. (CA-01-42-3-MU)

Submitted: January 14, 2002

Decided: February 7, 2002

Before NIEMEYER, TRAXLER, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Kent Allen Richardson, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kent Allen Richardson seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2001). We have reviewed the record and the district court's opinion and find Richardson's appeal is moot. While Richardson challenges the calculation of his release date, he has been released from custody, and he does not allege that collateral consequences warrant relief. See Vandenberg v. Rodgers, 801 F.2d 377, 378 (10th Cir. 1986). Further, we decline review of his claim for monetary damages raised for the first time on appeal because Richardson has not alleged exceptional circumstances. See Much v. United States, 1 F.3d 246, 250 (4th Cir. 1993).

Accordingly, we deny a certificate of appealability and dismiss Richardson's appeal as moot. Further, we deny Richardson's motion to proceed on appeal in forma pauperis. 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