

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7658

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM HENRY POTTS,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. William L. Osteen, District Judge, sitting by designation. (CR-95-15-V)

Submitted: January 17, 2002

Decided: January 29, 2002

Before WILKINS and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

William Henry Potts, Appellant Pro Se. Robert Jack Higdon, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

William Henry Potts appeals the district court's order denying his motion to dismiss indictment under Fed. R. Crim. P. 12(b)(2). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we grant leave to proceed in forma pauperis and affirm on the reasoning of the district court. See United States v. Potts, No. CR-95-15-V (W.D.N.C. Sept. 7, 2001). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the district court and argument would not aid the decisional process.

AFFIRMED