

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6551

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICKY DARDEN,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CR-93-447-PJM, CA-02-534-PJM)

Submitted: July 25, 2002

Decided: August 1, 2002

Before WILKINS, MOTZ and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Ricky Darden, Appellant Pro Se. Donna Carol Sanger, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Ricky Darden seeks to appeal the district court's order construing his "Motion for Relief from Judgment Pursuant to Federal Rules of Civil Procedure 60(b)(4) & (6)" as a 28 U.S.C.A. § 2255 (West Supp. 2002) motion and dismissing it as successive. 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. Darden, Nos. CR-93-447-PJM; CA-02-534-PJM (D. Md. Mar. 19, 2002). 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