

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6574

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROBERT DION SAVOY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Chief District Judge. (CR-90-398-A, CA-94-1179-AM)

Submitted: August 26, 2002

Decided: September 12, 2002

Before LUTTIG, WILLIAMS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Robert Dion Savoy, Appellant Pro Se. Helen F. Fahey, United States Attorney, Stephanie Evans, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Robert Dion Savoy seeks to appeal the district court's order denying his motion for relief from judgment in which he challenged the denial of his 28 U.S.C. § 2255 (2000) motion.* We have reviewed the record and conclude on the reasoning of the district court that Savoy has not made a substantial showing of the denial of a constitutional right. See United States v. Savoy, Nos. CR-90-398-A; CA-94-1179-AM (E.D. Va. Mar. 21, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000).

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

* Although this motion was filed in the district court pursuant to Fed. R. Civ. P. 60(b)(6), it essentially sought to preserve Savoy's claims raised in his underlying motion to vacate, set aside, or correct his sentence.