

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6579

MAHMOUD A. BEN-STONE, a/k/a Thomas E. Stone,

Petitioner - Appellant,

versus

F. W. GREENE, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (CA-00-1322)

Submitted: August 22, 2002

Decided: September 19, 2002

Before NIEMEYER, MOTZ, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Mahmoud A. Ben-Stone, Appellant Pro Se. Pamela Anne Sargent, Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mahmoud Ben-Stone seeks to appeal the district court's order denying his petition filed under 28 U.S.C. § 2254 (2000). We have reviewed the record and the district court's opinion and conclude on the reasoning of the district court that Ben-Stone has not made a substantial showing of the denial of a constitutional right. See Ben-Stone v. Greene, No. CA-00-1322 (E.D. Va. filed Mar. 20, 2002 & entered 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