

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7266

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CHRIS PARKS,

Defendant - Appellant.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp, Jr.,
District Judge. (CR-99-30, CA-01-15-5)

Submitted: October 10, 2002

Decided: October 21, 2002

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Chris Parks, Appellant Pro Se. Samuel Gerald Nazzaro, Jr.,
Assistant United States Attorney, Wheeling, West Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Chris Parks seeks to appeal the district court's order affirming and adopting in part the magistrate judge's report and recommendation and denying his motion filed under 28 U.S.C. § 2255 (2000). We have reviewed the record and the district court's memorandum opinion and conclude for the reasons stated by the district court that Parks has not made a substantial showing of the denial of a constitutional right. See United States v. Parks, Nos. CR-99-30; CA-01-15-5 (N.D.W. Va. July 15, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). We deny Park's motion for appointment of counsel. 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