

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7753

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LEONEL R. CAZACO, a/k/a Scott, a/k/a James
Romeo Nelson, a/k/a Frank Nisbett, a/k/a Jimmy
Fingers,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. Robert E. Payne, District Judge.
(CR-96-66, CA-01-659)

Submitted: March 17, 2003

Decided: March 27, 2003

Before MICHAEL, TRAXLER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Leonel R. Cazaco, Appellant Pro Se. Stephen Wiley Miller, David
John Novak, OFFICE OF THE UNITED STATES ATTORNEY, Richmond,
Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Leonel R. Cazaco seeks to appeal the district court's order denying relief on his motion filed under 28 U.S.C. § 2255 (2000). We have independently reviewed the record and conclude that Cazaco has not made a substantial showing of the denial of a constitutional right. See Miller-El v. Cockrell, ___ U.S. ___, 2003 WL 431659, at *10 (U.S. Feb. 25, 2003) (No. 01-7662). Accordingly, we deny the motion for a certificate of appealability, deny the motion for leave to proceed in forma pauperis, 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