

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-6016**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOHNNY MACON PLEASANTS,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Senior District Judge. (CR-96-21, CA-98-153-5-F)

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Submitted: June 3, 2003

Decided: June 30, 2003

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Before NIEMEYER, TRAXLER, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Johnny Macon Pleasants, Appellant Pro Se. Rudolf A. Renfer, Jr., Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Johnny Macon Pleasants 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 Pleasants has not made a substantial showing of the denial of a constitutional right. See Miller-El v. Cockrell, \_\_\_ U.S. \_\_\_, 123 S. Ct. 1029 (2003). 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