

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6184

MELVIN CHERRY,

Petitioner - Appellant,

versus

DAVID GARRAGHTY, Warden of the Greensville
Correctional Center; UNITED STATES PAROLE
COMMISSION,

Respondents - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Norfolk. Raymond A. Jackson, District
Judge. (CA-02-171)

Submitted: May 14, 2003

Decided: May 22, 2003

Before WIDENER, TRAXLER, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Melvin Cherry, Appellant Pro Se. Christopher Garrett Hill, OFFICE
OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia; George
Maralan Kelley, III, OFFICE OF THE UNITED STATES ATTORNEY, Norfolk,
Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Melvin Cherry, a federal prisoner, appeals the district court's order accepting the recommendation of the magistrate judge and denying relief on his petition filed under 28 U.S.C. § 2241 (2000). We have reviewed the record and find no reversible error. Accordingly, we deny leave to proceed in forma pauperis and dismiss on the reasoning of the district court. See Cherry v. Garraghty, No. CA-02-171 (E.D. Va. Jan. 9, 2003). 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