

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-7512**

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BRET MICHAEL BARRON,

Petitioner - Appellant,

versus

RALPH S. BEARDSLEY; CHARLES CONDON, Attorney  
General of the State of South Carolina,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Anderson. Patrick Michael Duffy, District  
Judge. (CA-02-2109-8-23BI)

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Submitted: February 9, 2004

Decided: March 16, 2004

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Before NIEMEYER, LUTTIG, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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John Dewey Elliott, Columbia, South Carolina, for Appellant.  
Donald John Zelenka, Chief Deputy Attorney General, Columbia, South  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bret Michael Barron seeks to appeal the district court's order accepting the recommendation of the magistrate judge and dismissing his petition under 28 U.S.C. § 2254 (2000). We have independently reviewed the record and conclude that Barron has not made a substantial showing of the denial of a constitutional right. See Miller-El v. Cockrell, 537 U.S. 322, 336 (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