

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 05-7262**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOHNNY SWANSON, III,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, District Judge. (CR-95-432)

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Submitted: December 22, 2005

Decided: January 3, 2006

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Before WIDENER, NIEMEYER, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Johnny Swanson, III, Appellant Pro Se. John Frank Eisinger, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Johnny Swanson, III, appeals the district court's order denying his motions challenging his conviction and sentence. Because Swanson's motions amounted to successive 28 U.S.C. § 2255 (2000) motions for which Swanson failed to obtain authorization under 28 U.S.C. § 2244 (2000) from this court to file, the district court was without jurisdiction to grant Swanson relief. Accordingly, we affirm. Swanson's Motion for Default is denied. 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.

AFFIRMED