

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-7751

ST. AUBYN SEBASTIAN GAYLE,

Petitioner - Appellant,

v.

GENE JOHNSON, Director, Virginia Department of Corrections,

Defendant - Appellee.

No. 08-6036

ST. AUBYN SEBASTIAN GAYLE,

Petitioner - Appellant,

v.

GENE JOHNSON, Director, Virginia Department of Corrections,

Defendant - Appellee.

Appeals from the United States District Court for the Eastern
District of Virginia, at Richmond. Robert E. Payne, Senior
District Judge. (3:05-cv-00681-REP)

Submitted: April 24, 2008

Decided: April 28, 2008

Before KING and SHEDD, Circuit Judges, and WILKINS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

St. Aubyn Sebastian Gayle, Appellant Pro Se. Virginia Bidwell Theisen, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

St. Aubyn Sebastian Gayle appeals the district court's orders denying his motion to toll the limitation period for filing a motion for reconsideration pursuant to Fed. R. Civ. P. 60(b) and his motion for appointment of counsel. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Gayle v. Johnson, No. 3:05-cv-00681-REP (E.D. Va. Nov. 15, 2007 & Dec. 18, 2007). Additionally, we deny Gayle's motion for production of documents.* 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

*Though Gayle has filed a motion for production of documents pursuant to the Freedom of Information Act, the Act is not applicable to federal courts. 5 U.S.C. §§ 551(1)(B), 552(f)(1) (2000).