

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6475

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

ANTOINE M. WOOTEN,

Defendant - Appellee,

v.

PRESTON DARNELL ROE,

Movant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (3:06-cr-00356-RLW)

Submitted: March 30, 2009

Decided: April 15, 2009

Before GREGORY and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Horace F. Hunter, HUNTER & LIPTON, L.L.P., Richmond, Virginia, for Appellant. Chuck Rosenberg, United States Attorney, Jonathan H. Hambrick, OFFICE OF THE UNITED STATES ATTORNEY, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Preston Darnell Roe appeals the district court's order denying his motion to unseal the presentence report of another defendant in a closed criminal case. We have reviewed the record included on appeal as well as the parties' briefs, and we find no reversible error. Accordingly, we affirm. See United States Dep't of Justice v. Julian, 486 U.S. 1, 12 (1988) (holding that a third party must make a showing of a "special need" in order to gain access to another individual's presentence report). 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