

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-6047**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

COREY MICHAEL LEFTWICH,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. Malcolm J. Howard, Senior District Judge. (4:00-cr-00037-H-1)

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Submitted: March 30, 2010

Decided: April 6, 2010

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Before WILKINSON, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Corey Michael Leftwich, Appellant Pro Se. Mary Jude Darrow, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Corey Michael Leftwich seeks to appeal the district court's order construing his motion for an evidentiary hearing as a successive 28 U.S.C.A. § 2255 (West Supp. 2009) motion and dismissing it on that basis. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Leftwich, No. 4:00-cr-00037-H-1 (E.D.N.C. filed Dec. 16, 2009; entered Dec. 17, 2009). 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