

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-7287

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DAVID CHARLES MCCLINTON,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Frank D. Whitney,
District Judge. (3:89-cr-00098-FDW-1)

Submitted: January 28, 2011

Decided: February 23, 2011

Before NIEMEYER, GREGORY, and AGEE, Circuit Judges.

Affirmed by unpublished per curiam opinion.

David Charles McClinton, Appellant Pro Se. Anne Magee Tompkins,
United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David Charles McClinton appeals the district court's order construing McClinton's petition for a writ of error coram nobis as a 28 U.S.C.A. § 2255 (West Supp. 2010) motion and denying it as successive and unauthorized. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. McClinton, No. 3:89-cr-00098-FDW-1 (W.D.N.C. Aug. 27, 2010). 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