

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-6407

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARQUIS ANTHONY NELSON, a/k/a Marquis L. Nelson,

Defendant - Appellant.

No. 16-6408

MARQUIS ANTHONY NELSON, a/k/a Marquis L. Nelson,

Petitioner - Appellant,

v.

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeals from the United States District Court for the Southern District of West Virginia, at Bluefield. Irene C. Berger, District Judge. (1:08-cr-00058-1; 1:15-cv-13059)

Submitted: July 21, 2016

Decided: July 22, 2016

Before SHEDD, AGEE, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Marquis Anthony Nelson, Appellant Pro Se. John Lanier File, Assistant United States Attorney, Beckley, West Virginia; Steven Loew, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, Marquis Anthony Nelson challenges the district court's order accepting the recommendation of the magistrate judge and denying several postjudgment motions.* Nelson also argues that the magistrate judge erred in denying his motion for production of certain documents. We have reviewed the record and find no reversible error. Accordingly, we deny Nelson's motions for a certificate of appealability and for appointment of counsel and affirm for the reasons stated by the district court. United States v. Nelson, Nos. 1:08-cr-00058-1; 1:15-cv-13059 (S.D.W. Va. Dec. 2, 2015 & Mar. 7, 2016). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* We previously remanded Case No. 16-6408 for the limited purpose of permitting the district court to supplement the record with an order granting or denying a certificate of appealability. The court denied a certificate of appealability, and Nelson also challenges that order. Upon closer examination, it appears that an order granting or denying a certificate of appealability was unnecessary. The court did not consolidate Nelson's postjudgment motions and construe them as a 28 U.S.C. § 2255 (2012) motion. Instead, the court honored Nelson's request and considered the motions as he presented them.