

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6138

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERIC DEWAYNE SPENCER, a/k/a High School,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Charles H. Haden II, Chief District Judge. (CR-99-12)

Submitted: June 4, 2002

Decided: June 18, 2002

Before WIDENER, NIEMEYER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Eric Dewayne Spencer, Appellant Pro Se. Monica Kaminski Schwartz, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Eric Dewayne Spencer appeals the district court's order denying his Fed. R. Civ. P. 7(b) motion to present federal questions. We have reviewed the record and the district court's order and find no reversible error. Accordingly, we grant leave to proceed in forma pauperis and affirm on the reasoning of the district court. United States v. Spencer, No. CR-99-12 (S.D.W. Va. Jan. 2, 2002). 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