

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6359

CLYDE EUGENE MASON,

Petitioner - Appellant,

versus

THEODIS BECK, Secretary of Department of
Corrections; DAVID MITCHELL, Superintendent of
Mountain View Facility #4855; ROY COOPER,
State of North Carolina Attorney General,

Respondents - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Asheville. Graham C. Mullen, Chief
District Judge. (CA-02-11-1-2-2-MU)

Submitted: September 27, 2002

Decided: January 22, 2003

Before WILKINS, NIEMEYER, and LUTTIG, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Clyde Eugene Mason, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Clyde Eugene Mason seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C. § 2254 (2000). We have reviewed the record and the district court's opinion and conclude Mason has not made a substantial showing of the denial of a constitutional right. See Mason v. Cooper, No. CA-02-11-1-2-2-MU (W.D.N.C. filed Jan. 31, 2002; entered Feb. 4, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). 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.

DISMISSED