

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6904

ORLANDO DAVID ALMOND,

Petitioner - Appellant,

versus

ALTON BASKERVILLE,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. David G. Lowe, Magistrate Judge. (CA-01-230-3)

Submitted: September 4, 2002

Decided: October 8, 2002

Before WILKINS, TRAXLER, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Orlando David Almond, Appellant Pro Se. Michael Thomas Judge, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Orlando David Almond seeks to appeal the magistrate judge's order denying relief on his petition filed under 28 U.S.C. § 2254 (2000). We have reviewed the record and the magistrate judge's opinion and conclude on the reasoning of the magistrate judge that Almond has not made a substantial showing of the denial of a constitutional right.* See Almond v. Baskerville, No. CA-01-230-3 (E.D. Va. May 17, 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

* The parties consented to the jurisdiction of the magistrate judge pursuant to 28 U.S.C. § 636(c) (2000).