

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7041

LARRY DONNELL FOWLKES,

Petitioner - Appellant,

versus

RONALD J. ANGELONE,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (CA-02-385-A)

Submitted: November 18, 2002

Decided: June 19, 2003

Before LUTTIG, TRAXLER, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jennifer M. Rubin, Kevin Michael Henry, Kim Lea Simmons, SIDLEY, AUSTIN, BROWN & WOOD, L.L.P., Washington, D.C.; Julia Elizabeth Sullivan, Crownsville, Maryland, for Appellant. Hazel Elizabeth Shaffer, Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Larry Donnell Fowlkes appeals the district court's denial of his successive habeas petition filed pursuant to 28 U.S.C. § 2254 (2000) prior to obtaining authorization to file it in accordance with 28 U.S.C. § 2244 (2000). Due to our recent denial of Fowlkes' petition to file a successive habeas petition, see In re: Fowlkes, 326 F.3d 542 (4th Cir. 2003), his appeal in this case is moot. Accordingly, we deny a certificate of appealability and grant the Appellee's unopposed motion to dismiss this appeal. 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