

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-7065**

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OSBORNE WYNN, JR.,

Petitioner - Appellant,

versus

JAMES L. JENKINS, Chairman,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. James R. Spencer, District Judge. (CA-01-552)

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Submitted: September 25, 2002

Decided: October 8, 2002

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Before LUTTIG and TRAXLER, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Osborne Wynn, Jr., Appellant Pro Se. Richard Carson Vorhis, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Osborne Wynn, Jr. 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 on the reasoning of the district court that Wynn has not made a substantial showing of the denial of a constitutional right. See Wynn v. Jenkins, No. CA-01-552 (E.D. Va. July 10, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). We also deny leave to proceed in forma pauperis on 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