

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7200

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CAREY FLOYD FAIRCLOTH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Fox, Senior District Judge. (CR-98-23-F, CA-99-180-7-F)

Submitted: October 24, 2002

Decided: October 31, 2002

Before WIDENER, MICHAEL, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Carey Floyd Faircloth, Appellant Pro Se. Christine Witcover Dean, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Carey Floyd Faircloth seeks to appeal the district court's orders denying his motion filed under 28 U.S.C. § 2255 (2000) and denying his Fed. R. Civ. P. 60(b) motion for reconsideration of that order. We have reviewed the record and the district court's orders and conclude for the reasons stated by the district court that Faircloth has not made a substantial showing of the denial of a constitutional right. See United States v. Faircloth, No. CR-98-23-F; CA-99-180-7-F (E.D.N.C. filed May 1 & June 28, 2002; entered May 2 & July 1, 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