

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7420

DEREK MARQUIS FLEMING,

Petitioner - Appellant,

versus

JOSEPH M. BROOKS, Warden, FCI Petersburg,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Jerome B. Friedman, District Judge. (CA-01-582-2)

Submitted: February 7, 2003

Decided: March 12, 2003

Before WILKINS, Chief Judge, and TRAXLER and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Derek Marquis Fleming, Appellant Pro Se. Michael R. Smythers, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Derek Marquis Fleming, a federal prisoner, seeks to appeal the district court's order accepting the magistrate judge's recommendation to deny relief on his petition filed under 28 U.S.C. § 2241 (2000), and the court's order denying his motion filed under Fed. R. Civ. P. 59(e). We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Fleming v. Brooks, No. CA-01-582-2 (E.D. Va. June 21, 2002 & July 19, 2002). 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.

AFFIRMED