

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-8002

ANTHONY WAYNE CAMERON,

Petitioner - Appellant,

versus

PATRICIA R. STANSBERRY, Warden, Low Security
Correctional Institution,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern
District of North Carolina, at Raleigh. Malcolm J. Howard,
District Judge. (CA-04-628)

Submitted: April 28, 2005

Decided: May 5, 2005

Before WILLIAMS, KING, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Anthony Wayne Cameron, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Anthony Wayne Cameron seeks to appeal the district court's order dismissing his petition he labeled as filed under 28 U.S.C. § 2241 (2000). We have reviewed the record and conclude for the reasons stated by the district court that Cameron's claims should be asserted under 28 U.S.C. § 2255 (2000). Cameron, however, has not made a substantial showing of the denial of a constitutional right as to the district court's dismissal. See Cameron v. Stansberry, No. CA-04-628 (E.D.N.C. Oct. 21, 2004). Accordingly, we deny Cameron a certificate of appealability, deny leave to proceed in forma pauperis, and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000).

To the extent that Cameron's notice of appeal and appellate brief can be construed as a motion for authorization to file a successive 28 U.S.C. § 2255 (2000) motion, we deny such authorization. See United States v. Winestock, 340 F.3d 200, 208 (4th Cir.), cert. denied, 124 S. Ct. 496 (2003). 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