

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-6918

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DOMINGO NOLBERTO PENA,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (1:98-cr-00132-JCC-11)

Submitted: July 31, 2008

Decided: August 11, 2008

Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Domingo Nolberto Pena, Appellant Pro Se. Morris Rudolph Parker, Jr., James L. Trump, Assistant United States Attorneys, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Domingo Nolberto Pena appeals the district court's order denying his motion for appointment of counsel. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Pena, No. 1:98-cr-00132-JCC-11 (E.D. Va. May 20, 2008). 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