

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 99-7719**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CARROLL EUGENE DODSON,

Defendant - Appellant.

---

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (CR-94-106, CA-99-727-7)

---

Submitted: May 10, 2000

Decided: August 4, 2000

---

Before NIEMEYER, LUTTIG, and WILLIAMS, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Carroll Eugene Dodson, Appellant Pro Se. Ray B. Fitzgerald, Jr., OFFICE OF THE UNITED STATES ATTORNEY, Charlottesville, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Carroll Eugene Dodson seeks to appeal the district court's orders denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 1999) and denying reconsideration of that order. We have reviewed the record and the district court's opinions and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court.\* See United States v. Dodson, Nos. CR-94-106; CA-99-727-7 (W.D. Va. Oct. 13 & Dec. 10, 1999). 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

---

\* We note that Richardson v. United States, 526 U.S. 813 (1999), is unavailing because Dodson did not raise the jury unanimity claim prior to collateral proceedings and did not establish cause and prejudice or actual innocence to excuse his procedural default. See United States v. Frady, 456 U.S. 152, 167-68 (1982).