

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

**United States v. McLean**

3 F. App'x 21 (4th Cir. 2001) · No. No. 00-6670 · Decided January 31, 2001

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**SUMMARY**

The Fourth Circuit dismissed Cleveland McLean Jr.'s appeal from the denial of a motion construed as a 28 U.S.C. § 2255 motion. The court denied a certificate of appealability and McLean's motions to vacate the district court's order and for attorney's fees, concluding that the district court's reasoning disclosed no reversible error.

**OPINION**

PER CURIAM.

UNPUBLISHED UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT No. 00-6670 UNITED STATES OF AMERICA, Plaintiff - Appellee, versus CLEVELAND MCLEAN, JR., a/k/a Junior, a/k/a June, Defendant - Appellant. Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Robert G. Doumar, Senior District Judge. (CR-80-105) Submitted: January 16, 2001 Decided: January 31, 2001 Before NIEMEYER, WILLIAMS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion. Cleveland McLean, Jr., Appellant Pro Se. Laura Marie Everhart, Assistant United States Attorney, Norfolk, Virginia, for Appellee. Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c). PER CURIAM: Cleveland McLean, Jr., seeks to appeal the district court's order denying his motion, which the court construed as a 28 U.S.C.A. § 2255 (West Supp. 2000) motion.

We have reviewed the record and the district court's opinion 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. McLean*, No. CR-90-105 (E.D. Va. Mar. 14, 2000).

We also deny McLean's motions to vacate the district court's order and for attorney's fees. 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 2