

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2132

1STARR DALTON,

Petitioner,

v.

STATE OF WEST VIRGINIA,

Respondent.

On Petition for Writ of Habeas Corpus.

Submitted: November 18, 2010

Decided: November 29, 2010

Before SHEDD and AGEE, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Petition dismissed by unpublished per curiam opinion.

1Starr Dalton, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

1Starr Dalton filed a petition for an original writ of habeas corpus challenging his 1999 conviction for robbery. This court ordinarily declines to entertain original habeas petitions, and this case provides no reason to depart from the general rule. Moreover, we find that the interests of justice would not be served by transferring the petition to the district court.* See 28 U.S.C. § 1631 (2006); Fed. R. App. P. 22(a). Accordingly, we dismiss the petition. 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.

PETITION DISMISSED

* The district court has previously denied Dalton's habeas petition filed pursuant to 28 U.S.C. § 2254 (2006), see Dalton v. McBride, No. 1:07-cv-00074 (S.D.W. Va. July 9, 2007); Dalton v. Rubenstein, No. 1:08-cv-00901 (S.D.W. Va. Mar. 3, 2009). On appeal this court denied a certificate of appealability and dismissed. Dalton v. McBride, 251 F. App'x 824 (4th Cir. 2007) (unpublished); Dalton v. Rubenstein, 340 F. App'x 171 (4th Cir. 2009) (unpublished).