

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 06-4664**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MAZIE LOUISE JENNINGS,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Marvin J. Garbis, Senior District Judge. (1:04-cr-00542)

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Submitted: September 22, 2006

Decided: October 13, 2006

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Before WILKINSON, WILLIAMS, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Mazie Louise Jennings, Appellant Pro Se. Stephen Matthew Schenning, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mazie Louise Jennings appeals the district court's order denying her request for release on bond pending resolution of her 28 U.S.C. § 2255 (2000) motion. We have reviewed the record and find no reversible error. Jennings is not in custody pending an upcoming trial or appeal, so she does not qualify for release under 18 U.S.C. §§ 3142, 3143 (2000). Accordingly, we affirm the district court's denial of Jennings' motion. United States v. Jennings, No. 1:04-cr-00542 (D. Md. June 27, 2006). Although we deny leave to proceed under the Criminal Justice Act, we grant leave to proceed in forma pauperis. 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