

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6423

JULIAN EDWARD ROCHESTER,

Petitioner - Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS; T. TRAVIS MEDLOCK,
Attorney General of the State of South Carolina,

Respondents - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Columbia. Henry M. Herlong, Jr., District
Judge. (3:93-cv-02670-WBT)

Submitted: April 21, 2009

Decided: May 5, 2009

Before WILKINSON, MICHAEL, and DUNCAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Julian Edward Rochester, Appellant Pro Se. Donald John Zelenka,
Deputy Assistant Attorney General, Columbia, South Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Julian Edward Rochester appeals the district court's order denying his Fed. R. Civ. P. 60(b) motion. Because Rochester failed to make a substantial showing of the denial of a constitutional right, we deny a certificate of appealability and dismiss the appeal. Rochester v. South Carolina Dept. of Corrections, No. 3:93-cv-02670-WBT (D.S.C. Feb. 23, 2009). 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