

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-6446

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JULIEN K. MODICA, a/k/a Julien Dilks, MPH,

Defendant - Appellant.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, Senior
District Judge. (7:93-cr-00091-jct-1)

Submitted: September 29, 2009

Decided: October 5, 2009

Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Julien K. Modica, Appellant Pro Se. Thomas Linn Eckert,
Assistant United States Attorney, Roanoke, Virginia, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Julien K. Modica appeals the district court's order denying his petition for a writ of error coram nobis. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Modica, No. 7:93-cr-00091-jct-1 (W.D. Va. Feb. 27, 2009). We grant Modica's motions to file supplemental materials and deny his motions to prevent the unavailability of a witness. 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