

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-7968**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RICKY VINCENT PENDLETON,

Defendant - Appellant.

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Appeal from the United States District Court for the Northern District of West Virginia, at Martinsburg. Frederick P. Stamp, Jr., Senior District Judge. (3:96-cr-00001-FPS-JES-1)

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Submitted: January 14, 2010

Decided: January 22, 2010

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Before MOTZ, GREGORY, and SHEDD, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Ricky Vincent Pendleton, Appellant Pro Se. Paul Thomas Camilletti, Assistant United States Attorney, Martinsburg, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ricky Vincent Pendleton appeals the district court's order adopting the recommendation of the magistrate judge and dismissing Pendleton's petition for a writ of error coram nobis as unintelligible and for failure to raise any cognizable claim for relief. We have reviewed the record and find no reversible error. Accordingly, we deny Pendleton's motion for transcripts at government expense and affirm for the reasons stated by the district court. United States v. Pendleton, No. 3:96-cr-00001-FPS-JES-1 (N.D.W. Va. Oct. 7, 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.

AFFIRMED