

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 10-6065**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

THOMAS LEROY ALSTON,

Defendant - Appellant.

---

Appeal from the United States District Court for the District of South Carolina, at Charleston. Patrick Michael Duffy, Senior District Judge. (2:08-cr-00828-PMD-1)

---

Submitted: March 30, 2010

Decided: April 6, 2010

---

Before WILKINSON, GREGORY, and SHEDD, Circuit Judges.

---

Affirmed by unpublished per curiam opinion.

---

Thomas Leroy Alston, Appellant Pro Se. Sean Kittlell, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Thomas Leroy Alston appeals the district court's order denying his motion for return of property, pursuant to Fed. R. Crim. P. 41(g). Alston does not contest the assertion of the United States that none of the disputed property is in its possession. Accordingly, we affirm the district court's order. 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