

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6369

ROOSEVELT CORNELL SANDERS,

Petitioner - Appellant,

v.

TERRY O'BRIEN, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Glen E. Conrad, District Judge. (7:09-cv-00026-gec-mfu)

Submitted: April 22, 2010

Decided: April 28, 2010

Before TRAXLER, Chief Judge, and KING and AGEE, Circuit Judges.

Affirmed in part; dismissed in part by unpublished per curiam opinion.

Roosevelt Cornell Sanders, Appellant Pro Se. Rick A. Mountcastle, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Roosevelt Cornell Sanders, a federal inmate, appeals three district court orders filed as a result of post-judgment motions in Sanders' action filed under 28 U.S.C. § 2241 (2006). We have reviewed the record and the district court's orders and affirm those orders denying his second and third motions filed under Rule 60(b) of the Federal Rules of Civil Procedure on the reasoning of the district court. See Sanders v. O'Brien, No. 7:09-cv-00026-gec-mfu (W.D. Va. Jan. 20, 2010; Feb. 10, 2010). Because Sanders does not need a certificate of appealability to appeal the denial of an order issued in a § 2241 proceeding, we dismiss the appeal from the district court's order denying a certificate of appealability.

Accordingly, we affirm in part and dismiss in part. 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 IN PART;
DISMISSED IN PART