

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-6488

DEANTHONY DOANE,

Petitioner - Appellant,

v.

GENE JOHNSON, Director of Virginia Department of
Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Gerald Bruce Lee, District
Judge. (1:09-cv-01154-GBL-JFA)

Submitted: November 21, 2011

Decided: December 8, 2011

Before WILKINSON and NIEMEYER, Circuit Judges, and HAMILTON,
Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

DeAnthony Doane, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In Doane v. Johnson, No. 11-6675 (4th Cir. Nov. 18, 2011) (unpublished), we denied a certificate of appealability and dismissed DeAnthony Doane's appeal of the district court's order denying relief on his 28 U.S.C. § 2254 (2006) petition. In the subject appeal, Doane seeks to appeal from the identical district court order. In light of our decision in No. 11-6675, we hold that this appeal is moot. Accordingly, we deny a certificate of appealability and dismiss the appeal. 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