UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-6846

UNITED STATES OF AMERICA,

Petitioner – Appellee,

v.

ENOC ALCANTARA-MENDEZ,

Respondent - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (5:11-hc-02178-BR)

Submitted: December 14, 2012 Decided: January 4, 2013

Before GREGORY, AGEE, and DIAZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jennifer Haynes Rose, LAW OFFICE OF JENNIFER HAYNES ROSE, Raleigh, North Carolina, for Appellant. Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, David T. Huband, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

After a hearing, the district court ordered that Enoc Alcantara-Mendez be committed to the custody of the Attorney General pursuant to 18 U.S.C. § 4246 (2006). Counsel for Alcantara-Mendez filed a timely notice of appeal of the district court's order. Prior to that notice of appeal, however, Alcantara-Mendez filed a separate pro se notice of appeal. As Alcantara-Mendez in that appeal challenged both the district court's order denying reconsideration and the order committing him to the custody of the Attorney General, this court previously considered Alcantara-Mendez's arguments regarding both of those orders. We, therefore, have already affirmed the district court's order committing Alcantara-Mendez to the custody of the Attorney General. See United States v. Alcantara-Mendez, 20120 WL 5193410 (4th Cir. Oct. 22, 2012) (unpublished). Accordingly, we dismiss this appeal as duplicative.[*] We dispense with oral argument because the facts and legal contentions are adequately presented in the materials

[*] We note that counsel for Alcantara-Mendez raises additional arguments to those raised in the prior appeal. Even if we considered these additional arguments to be properly before us we conclude that these arguments lack merit.

before this court and argument would not aid in the decisional process.

DISMISSED