

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-6735

MORRIS TYLER,

Petitioner - Appellant,

v.

LEROY CARTLEDGE, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at Greenville. J. Michelle Childs, District Judge. (6:13-cv-03076-JMC)

Submitted: September 25, 2014 Decided: September 30, 2014

Before WILKINSON and AGEE, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Morris Tyler, Appellant Pro Se. Donald John Zelenka, Senior Assistant Attorney General, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Morris Tyler appeals the district court's order denying his motion for copies and its order granting in part and denying in part his motion for reconsideration of that order. A district court judge before whom a habeas petition is pending may order a district court clerk to provide copies of court documents at government expense to a habeas petitioner proceeding in forma pauperis. 28 U.S.C. § 2250 (2012). However, provision of such copies is a matter of discretion with the district court before which the habeas petition is pending. See United States v. Connors, 904 F.2d 535, 536 (9th Cir. 1990) (necessity of pending habeas petition); Walker v. United States, 424 F.2d 278, 278-79 (5th Cir. 1970) (same).

Here, Tyler had no habeas petition pending at the time he filed his motion for copies. Moreover, he did not demonstrate a need for copies, where the documents he sought were either provided to him previously or are not necessary to the filing of his proposed 28 U.S.C. § 2244 (2012) application. Finding no abuse of discretion in the district court's rulings, we affirm the orders at issue. We dispense with oral argument because the facts and legal contentions are adequately presented

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

AFFIRMED