

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-6846**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ROBERT KEITH ROSS,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Martin K. Reidinger, District Judge. (1:07-cr-00117-MR-1; 1:09-cv-00365-MR)

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Submitted: October 20, 2015

Decided: October 22, 2015

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Before MOTZ, KEENAN, and THACKER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robert Keith Ross, Appellant Pro Se. Amy Elizabeth Ray, Assistant United States Attorney, Jill Westmoreland Rose, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Keith Ross appeals the district court's order construing his Fed. R. Civ. P. 60(b) motion as a successive 28 U.S.C. § 2255 (2012) motion and dismissing it as such. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. Ross, Nos. 1:07-cr-00117-MR-1; 1:09-cv-00365-MR (W.D.N.C. May 11, 2015). We deny Ross's motion for a certificate of appealability. 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