

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-6521

MARK MADISON LOWE,

Petitioner - Appellant,

v.

HAROLD CLARKE, Director Department of Corrections for the Commonwealth
of Virginia,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at
Richmond. Henry E. Hudson, Senior District Judge. (3:18-cv-00155-HEH-RCY)

Submitted: September 27, 2018

Decided: October 10, 2018

Before KING and AGEE, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mark Madison Lowe, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Madison Lowe appeals the district court's order construing his Fed. R. Civ. P. 60(b), (d) motion as an unauthorized successive 28 U.S.C. § 2254 (2012) petition and dismissing for lack of jurisdiction. We have reviewed the record and find no reversible error. Accordingly, we grant leave to proceed in forma pauperis, deny as unnecessary a certificate of appealability (COA), and affirm. *See United States v. McRae*, 793 F.3d 392, 400 (4th Cir. 2015) (“[W]e need not issue a COA before determining whether the district court erred in dismissing [a] purported Rule 60(b) motion as an unauthorized successive habeas petition.”). 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