

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-7511

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RODNEY REEP, a/k/a Dirty Harry, a/k/a Harry,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Raymond A. Jackson, District Judge. (2:02-cr-00217-RAJ-JEB-9)

Submitted: April 4, 2019

Decided: April 10, 2019

Before NIEMEYER and HARRIS, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Rodney Reep, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Rodney Reep appeals the district court's order denying his motion seeking recusal of the presiding district judge. We have reviewed the record and find no reversible error. Reep's motion failed to identify any personal bias by the district judge, any legitimate ground for reasonably questioning the district judge's impartiality, or anything in the judge's prior rulings revealing favoritism or antagonism that would make fair judgment impossible. *See* 28 U.S.C. §§ 144, 455(a), (b)(1) (2012); *Liteky v. United States*, 510 U.S. 540, 555-56 (1994); *United States v. Cherry*, 330 F.3d 658, 665 (4th Cir. 2003); *see also United States v. Stone*, 866 F.3d 219, 229 (4th Cir. 2017) (reviewing denial of recusal motion for abuse of discretion). Further, Reep's § 144 affidavit was significantly untimely, as he was aware of its underlying facts by the end of his trial in 2003. Accordingly, we affirm the district court's order. 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