

UNPUBLISHED

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

No. 19-6234

CHAVIS ODELL PULLEN,

Petitioner - Appellant,

v.

AARON S. JOYNER, Warden,

Respondent - Appellee.

Appeal from the United States District Court for the District of South Carolina, at
Greenville. Henry M. Herlong, Jr., Senior District Judge. (6:18-cv-03426-HMH)

Submitted: May 23, 2019

Decided: May 29, 2019

Before KING and RICHARDSON, Circuit Judges, and SHEDD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Chavis Odell Pullen, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Chavis Odell Pullen appeals the district court's order dismissing Pullen's 28 U.S.C. § 2254 (2012) petition without prejudice for failure to comply with a court order and failure to prosecute, and the district court's order denying Pullen's postjudgment motion. We have reviewed the record and find no reversible error. Accordingly, we grant leave to proceed in forma pauperis and affirm for the reasons stated by the district court.* *Pullen v. Joyner*, No. 6:18-cv-03426-HMH (D.S.C. Jan. 17 & Feb. 11, 2019). 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

* Although a certificate of appealability generally is required to appeal “the final order in a habeas corpus proceeding,” 28 U.S.C. § 2253(c)(1)(A) (2012), we conclude that none is required here because the district court's dismissal for failure to comply with a court order and failure to prosecute is unrelated to the merits of the § 2254 petition. *See Harbison v. Bell*, 556 U.S. 180, 182-83 (2009).