

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-6140

CLAYTON GEORGE SMITH,

Petitioner - Appellant,

v.

HAROLD W. CLARKE, Director, Virginia Department of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Robert G. Doumar, Senior District Judge. (2:19-cv-00072-RGD-DEM)

Submitted: March 30, 2022

Decided: April 27, 2022

Before NIEMEYER, AGEE, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

ON BRIEF: S. W. Dawson, DAWSON, P.L.C., Norfolk, Virginia, for Appellant. Mark R. Herring, Attorney General, Laura Haeberle Cahill, Assistant Attorney General, Toby J. Heytens, Solicitor General, Michelle S. Kallen, Martine E. Cicconi, Deputy Solicitors General, Jessica Merry Samuels, Assistant Solicitor General, Kendall T. Burchard, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clayton George Smith appeals the district court's order accepting the magistrate judge's recommendation to deny relief on Smith's 28 U.S.C. § 2254 petition. The district court granted a certificate of appealability on one issue: whether the Virginia state trial court improperly denied Smith's motion to suppress his incriminating statements, in contravention of *Miranda*.^{*} We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Smith v. Clarke*, No. 2:19-cv-00072-RGD-DEM (E.D. Va. Dec. 18, 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

^{*} *Miranda v. Arizona*, 384 U.S. 436 (1966).