

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-7519

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ANTHONY LEE WAINWRIGHT, JR., a/k/a Youngin,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Rebecca Beach Smith, Senior District Judge. (4:10-cr-00016-RBS-TEM-1)

Submitted: April 4, 2023

Decided: April 7, 2023

Before NIEMEYER, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Anthony Lee Wainwright, Jr., Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Anthony Lee Wainwright, Jr., appeals the district court's order dismissing his motion for compassionate release after finding his arguments were not cognizable under 18 U.S.C. § 3582(c)(1)(A); *United States v. McCoy*, 981 F.3d 271 (4th Cir. 2020), but were properly raised under 28 U.S.C. § 2255; and his motion was an unauthorized, successive § 2255 motion.* We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. *See United States v. Ferguson*, 55 F.4th 262, 270-72 (4th Cir. 2022). We deny a certificate of appealability as unnecessary. *See Harbison v. Bell*, 556 U.S. 180, 183 (2009); *United States v. Williams*, 56 F.4th 366, 370 n.3 (4th Cir. 2023); *United States v. McRae*, 793 F.3d 392, 400 (4th Cir. 2015). 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

* We previously denied Wainwright authorization to file a successive § 2255 motion to assert his challenges to the validity of his 18 U.S.C. § 924(c) convictions, because he could not make a plausible claim for relief. *See United States v. Crawley*, 2 F.4th 257, 263 (4th Cir. 2021); *United States v. Ali*, 991 F.3d 561, 574 (4th Cir. 2021); *In re Thomas*, 988 F.3d 783, 790 (4th Cir. 2021); *United States v. Mathis*, 932 F.3d 242, 266 (4th Cir. 2019).