

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION

ALVIN L. GREGORY,

Petitioner,

v.

Civil Action No. 5:02-0472

MICHAEL V. COLEMAN, Warden,  
Mount Olive Correctional Complex,

Respondent.

MEMORANDUM OPINION AND ORDER

Pending before the court are petitioner's motions to vacate judgment (Doc. No. 84) and for leave to file instant objections to the denial of petitioner's motion to vacate judgment (Doc. No. 85). On March 15, 2007, the United States Court of Appeals for the Fourth Circuit denied Gregory a certificate of appealability and dismissed his appeal. Because these issues have already been decided on appeal, the motions are hereby **DENIED**.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to all counsel of record and the plaintiff, pro se.

IT IS SO ORDERED this 3rd day of March, 2010.

ENTER:



David A. Faber

Senior United States District Judge