

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 18-6262

ANTWAN W. CALLAHAN,

Petitioner - Appellant,

v.

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

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:18-cv-00083-CMH-JFA)

Submitted: July 5, 2018

Decided: July 27, 2018

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

Affirmed by unpublished per curiam opinion.

Antwan Wydell Callahan, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Antwan Wydell Callahan, a state prisoner, appeals the district court's order construing his Fed. R. Civ. P. 60(b) motion as an unauthorized successive 28 U.S.C. § 2254 (2012) petition and dismissing it for lack of jurisdiction. We have reviewed the record and conclude that the district court did not err in dismissing Callahan's motion as an unauthorized successive habeas petition.* *See Gonzalez v. Crosby*, 545 U.S. 524, 530-32 (2005). Accordingly, although we grant Callahan leave to proceed in forma pauperis, we affirm the district court's order. *See Callahan v. Clarke*, No. 1:18-cv-00083-CMH-JFA (E.D. Va. Feb. 23, 2018). 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

* A certificate of appealability is not required for us to determine this issue. *See United States v. McRae*, 793 F.3d 392, 400 (4th Cir. 2015).