

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6647

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

UNIQUE SHYMEL HINES, a/k/a Yank,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. Louise W. Flanagan, District Judge. (5:22-cr-00236-FL-1)

Submitted: November 25, 2025

Decided: December 2, 2025

Before WYNN and RICHARDSON, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Unique Shymel Hines, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Unique Shymel Hines pleaded guilty to distribution of a controlled substance, in violation of 21 U.S.C. § 841(a). In 2023, the district court sentenced Hines to a total of 60 months of imprisonment. In 2025, Hines filed a motion seeking to challenge the constitutionality of the statutes of conviction pursuant to Fed. R. Civ. P. 5.1. The district court denied the motion and Hines now appeals.

On appeal, Hines argues that the district court violated Rule 5.1 and 28 U.S.C. § 2403 by not certifying a constitutional challenge to the Attorney General. However, the Federal Rules of Civil Procedure do not apply to criminal cases, *see United States v. Goodwyn*, 596 F.3d 233, 235 n.* (4th Cir. 2010), and § 2403 does not apply to Hines's criminal case as the Government is a party. Accordingly, we affirm the district court's order. *United States v. Hines*, No. 5:22-cr-00236-FL-1 (E.D.N.C. June 4, 2025). 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