

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6049**

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KEVIN L. NEAL,

Petitioner - Appellant,

versus

DAVID ROBINSON, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Albert v. Bryan, Jr., Senior District Judge. (CA-99-929-AM)

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Submitted: March 9, 2000

Decided: March 16, 2000

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Before WILKINS, TRAXLER, and KING, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Kevin L. Neal, Appellant Pro Se. Eugene Paul Murphy, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Kevin L. Neal seeks to appeal the district court's order denying relief as untimely his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1999). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Neal v. Robinson, No. CA-99-929-AM (E.D. Va. Sept. 1, 1999).\* We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

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\* We construe Neal's letter filed September 23, 1999, as a timely notice of appeal. See Fed. R. App. P. 3(c)(A).