

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6230

LARRY DONNELL FOWLKES,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director of the Virginia
Department of Corrections,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Albert V. Bryan, Jr., Senior
District Judge. (CA-00-22-AM)

Submitted: August 14, 2001

Decided: December 5, 2001

Before LUTTIG, TRAXLER, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Julia Elizabeth Sullivan, Jennifer M. Rubin, SIDLEY, AUSTIN, BROWN
& WOOD, Washington, D.C., for Appellant. Hazel Elizabeth Shaffer,
Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Larry Donnell Fowlkes appeals the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2000). 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 substantially on the reasoning of the district court. Fowlkes v. Angelone, No. CA-00-22-AM (E.D. Va. Jan. 7, 2000).^{*} We grant Fowlkes' motion for supplemental briefing and have considered the issues raised in his supplemental brief; we find those claims meritless. We deny his request for remand to the district court. 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

^{*} We had previously placed this appeal in abeyance pending our decision in Atkinson v. Angelone, 2001 WL 1020287 (4th Cir. Sept. 6, 2001) (No. 00-6187) (unpublished), which has now issued. In Atkinson, we concluded the AEDPA's one-year limitations period was not tolled while a petition for writ of certiorari as to a state court's denial of habeas corpus relief was pending in the United States Supreme Court. See also Crawley v. Catoe, 257 F.3d 395 (4th Cir. 2001).