

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6407**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

EMJADIA PORTER,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, Chief District Judge. (CR-94-37, CA-97-690-7)

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Submitted: June 15, 2000

Decided: June 22, 2000

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Before NIEMEYER and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Emjadia Porter, Appellant Pro Se. Karen Breeding Peters, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Emjadia Porter appeals the district court's order denying his Fed. R. App. P. 4(a)(6) motion to reopen the time in which he may file an appeal from the district court's order granting in part and denying in part his 28 U.S.C.A. § 2255 (West Supp. 2000) motion and denying his application for a certificate of appealability. We have reviewed the record and the district court's opinion and find no reversible error. See United States v. Porter, No. CR-94-37, CA-97-690-7 (W.D. Va. Mar. 13, 2000). Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of 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