

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6536

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DOUGLAS E. GIBBY,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Bryson City. Lacy H. Thornburg, District Judge. (CR-98-229, CA-00-69)

Submitted: July 27, 2000

Decided: August 4, 2000

Before MURNAGHAN, WILKINS, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Douglas E. Gibby, Appellant Pro Se. Brian Lee Whisler, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Douglas E. Gibby seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West 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 on the reasoning of the district court. See United States v. Gibby, Nos. CR-98-229; CA-00-69 (W.D.N.C. Mar. 31, 2000). 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