

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6626

EARL B. WALKER,

Petitioner - Appellant,

versus

RON ANGELONE,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (CA-99-698-7)

Submitted: August 30, 2000

Decided: September 7, 2000

Before WIDENER, NIEMEYER, and WILLIAMS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Earl B. Walker, Appellant Pro Se. Kathleen B. Martin, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Earl B. Walker appeals the district court's order granting the Respondent's motion to dismiss and 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.* See Walker v. Angelone, No. CA-99-698-7 (W.D. Va. Apr. 10, 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

* The district court did not have the benefit of the Supreme Court's recent decision in Williams v. Taylor, ___ U.S. ___, 120 S. Ct. 1495, 68 U.S.L.W. 4263 (U.S. Apr. 18, 2000) (No. 98-8384). However, the district court's conclusion that the state court decision was not contrary to clearly established federal law or an unreasonable determination of the facts, see 28 U.S.C.A. § 2254(d)(2) (West Supp. 2000), comports with the holding in Williams.