

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-6652

JOHN EDWARD HAMMOND,

Petitioner - Appellant,

versus

STATE OF SOUTH CAROLINA; CHARLES M. CONDON,
State of South Carolina Attorney General,

Respondents - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Solomon Blatt, Jr., Senior District Judge. (CA-99-779-3-8BC)

Submitted: July 27, 2000

Decided: August 7, 2000

Before MURNAGHAN, WILKINS, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John Edward Hammond, Appellant Pro Se. Robert Eugene Bogan, OFFICE OF THE ATTORNEY GENERAL OF SOUTH CAROLINA, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John E. Hammond seeks to appeal 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 accepting the recommendation of the magistrate judge 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 Hammond v. South Carolina, No. CA-99-779-3-8BC (D.S.C. Apr. 14, 2000. We deny Hammond's motion for appointment of counsel and 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 magistrate judge relied on our interpretation of 28 U.S.C.A. § 2254(d)(1) (West Supp. 2000), announced in Green v. French, 143 F.3d 865 (4th Cir. 1998), cert. denied, 525 U.S. 1090 (1999), to deny Hammond relief. The Supreme Court recently overruled that aspect of Green, however, in Williams v. Taylor, 120 S. Ct. 1495 (2000). We have reviewed Hammond's appeal in light of Williams and conclude that the state habeas corpus court's decision was not "'contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court.'" Williams, 120 S. Ct. at 1517 (quoting § 2254(d)(1)).