

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6718**

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RUSSELL LEON DOBEY,

Petitioner - Appellant,

versus

MICHAEL W. MOORE, Director of South Carolina  
Department of Corrections; CHARLES M. CONDON,  
Attorney General of South Carolina,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Greenville. Falcon B. Hawkins, Senior District  
Judge. (CA-98-1661-6)

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Submitted: August 24, 2000

Decided: August 30, 2000

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

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Dismissed by unpublished per curiam opinion.

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Russell Leon Dobey, Appellant Pro Se. Donald John Zelenka, Chief  
Deputy Attorney General, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Russell Leon Dobeý 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 on the reasoning of the district court. See Dobeý v. Moore, No. CA-98-1661-6 (D.S.C. May 9, 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