

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-7053

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FREDERICK CARLETON TUCK,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CR-98-43, CA-00-176-7)

Submitted: November 9, 2000

Decided: November 15, 2000

Before WILKINS, WILLIAMS, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Frederick Carleton Tuck, Appellant Pro Se. Bruce A. Pagel, OFFICE OF THE UNITED STATES ATTORNEY, Charlottesville, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Frederick Carleton Tuck seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2000) and a subsequent motion for reconsideration filed under Fed. R. Civ. P. 59(e). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability, deny Tuck's motion to expedite the appeal as moot, and dismiss the appeal on the reasoning of the district court. See United States v. Tuck, Nos. CR-98-43; CA-00-176-7 (W.D. Va. June 27 & July 13, 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