

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7179**

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RUSSELL LEE MAWYER, a/k/a Rusty Mawyer,

Petitioner - Appellant,

versus

COLIE L. RUSHTON, Warden; CHARLES M. CONDON,  
Attorney General of the State of South  
Carolina,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Charleston. Margaret B. Seymour, District  
Judge. (CA-99-3790)

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Submitted: January 19, 2001

Decided: February 8, 2001

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Before NIEMEYER, WILLIAMS, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Russell Lee Mawyer, 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Unpublished opinions are not binding precedent in this circuit.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 Lee Mawyer appeals 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 Mawyer's motion for a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Mawyer v. Rushton, No. CA-99-3790 (D.S.C. July 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