

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-7249

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TONY LAMONT JONES, a/k/a Tony, a/k/a Tony
Rome, a/k/a Uncle Moe,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern Dis-
trict of Virginia, at Norfolk. Raymond A. Jackson, District Judge.
(CR-97-102, CA-99-2024-2)

Submitted: June 5, 2001

Decided: June 20, 2001

Before NIEMEYER, LUTTIG, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

James O. Broccoletti, ZOBY & BROCCOLETTI, P.C., Norfolk, Virginia,
for Appellant. Helen F. Fahey, United States Attorney, Arenda L.
Wright Allen, Assistant United States Attorney, Norfolk, Virginia,
for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Tony Lamont Jones 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 to alter or amend judgment. We have reviewed the record and the district court's opinion and find no reversible error. Jones' claim, raised for the first time on appeal, that his sentence violates Apprendi v. New Jersey, 530 U.S. 466, 120 S. Ct. 2348 (2000), is foreclosed by this Court's decision in United States v. Sanders, 247 F.3d 139 (4th Cir. 2001). Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Jones, Nos. CR-97-102; CA-99-2024-2 (E.D. Va. filed June 27, entered June 28, 2000, & Aug. 1, 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