

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

No. 00-7286

---

BOBBY RAY ADKINS,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL; NORTH  
CAROLINA DEPARTMENT OF CORRECTION; LYNN C.  
PHILLIPS, Director,

Respondents - Appellees.

YICK MAN MUI; GEORGE REYNOLDS; ROBERT DUGAN,

Movants.

---

No. 00-7403

---

BOBBY RAY ADKINS,

Petitioner,

versus

NORTH CAROLINA ATTORNEY GENERAL; NORTH  
CAROLINA DEPARTMENT OF CORRECTION; LYNN C.  
PHILLIPS, Director,

Respondents - Appellees,

versus

ROBERT F. DUGAN,

Movant - Appellant.

YICK MAN MUI; GEORGE REYNOLDS,

Movants.

---

Appeals from the United States District Court for the Middle District of North Carolina, at Durham. Frank W. Bullock, Jr., District Judge. (CA-99-558-1)

---

Submitted: December 14, 2000

Decided: December 27, 2000

---

Before WIDENER, WILKINS, and TRAXLER, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Bobby Ray Adkins, Robert F. Dugan, Appellants Pro Se. Clarence Joe DelForge, III, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bobby Ray Adkins (No. 00-7286) and Robert F. Dugan (No. 00-7403) appeal the district court's order denying relief on Adkins' petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2000). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss Adkins' appeal on the reasoning of the district court. See Adkins v. North Carolina Attorney General, No. CA-99-558-1 (M.D.N.C. Aug. 18, 2000).<sup>\*</sup> Because Dugan was not a party to the action, we find that he does not have standing to appeal, Marino v. Ortiz, 484 U.S. 301, 304 (1988), and therefore we deny leave to proceed in forma pauperis, and deny a certificate of appealability and dismiss his appeal. 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

---

<sup>\*</sup> Although the district court's order is marked as "filed" on August 17, 2000, the district court's records show that it was entered on the docket sheet on August 18, 2000. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).