

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7442**

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KENNETH HARDY,

Petitioner - Appellant,

versus

STAN K. YOUNG,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (CA-00-251)

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Submitted: March 22, 2001

Decided: March 28, 2001

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Before WILKINS, LUTTIG, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Kenneth Hardy, Appellant Pro Se. Hazel Elizabeth Shaffer, Assistant Attorney General, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kenneth Hardy 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 find that Hardy's petition was not timely filed. 28 U.S.C.A. §§ 2244(d), 2254 (West 1994 & Supp. 2000); Harris v. Hutchinson, 209 F.3d 325, 328 & n.1 (4th Cir. 2000). Accordingly, we deny a certificate of appealability and dismiss the 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