

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-7532

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICHARD L. DIXON,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Charleston. Elizabeth V. Hallanan, Senior District Judge. (CR-96-191, CA-99-1011-2)

Submitted: April 27, 2001

Decided: June 7, 2001

Before WILKINS, NIEMEYER, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Clayton Reed Kaeiser, Miami, Florida, for Appellant. Michael Lee Keller, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Richard L. Dixon seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2000). We have reviewed the record and the district court's opinion agreeing with the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal substantially on the reasoning of the district court. United States v. Dixon, Nos. CR-96-191; CA-99-1011-2 (S.D.W. Va. Sept. 7, 2000). We decline to consider Dixon's claims that he was denied effective assistance of counsel on direct appeal because he failed to raise these claims in the district court. Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993). 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