

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7622**

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GORDON R. SCHENKELBERGER,

Petitioner - Appellant,

versus

RON ANGELONE,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (CA-00-1125-AM)

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Submitted: March 22, 2001

Decided: March 29, 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Dismissed by unpublished per curiam opinion.

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Gordon R. Schenkelberger, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Gordon R. Schenkelberger appeals the district court's order denying his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2000), as untimely filed. We have reviewed the record, the district court's opinion, and Schenkelberger's informal appellate brief. Because Schenkelberger failed to challenge on appeal the basis for the district court's ruling, he has not preserved any issue for our review. 4th Cir. R. 34(b). Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. Schenkelberger v. Angelone, No. CA-00-1125-AM (E.D. Va. filed Oct. 11, 2000; entered Oct. 12, 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