

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7654**

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PAUL MITCHELL BURGESS,

Petitioner - Appellant,

versus

STATE OF NORTH CAROLINA; WALTER WHITMAN,  
Superintendent of Adult Correctional Institu-  
tion; FRANKLIN FREEMAN, Secretary of the De-  
partment of Corrections for the State of North  
Carolina; SUPERINTENDENT CLARK,

Respondents - Appellees.

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Appeal from the United States District Court for the Western Dis-  
trict of North Carolina, at Charlotte. Graham C. Mullen, Chief  
District Judge. (CA-95-283-3-MU-2)

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Submitted: March 6, 2001

Decided: March 19, 2001

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Before LUTTIG, WILLIAMS, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Paul Mitchell Burgess, Appellant Pro Se. Jill Ledford Cheek,  
Special Deputy Attorney General, Raleigh, North Carolina, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Paul Mitchell Burgess appeals 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 the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Burgess v. North Carolina, No. CA-95-283-3-MU-2 (W.D.N.C. Sept. 28, 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