

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-7776

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

GARY DEAN BOONE,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Florence. Cameron McGowan Currie, District Judge. (CR-97-733)

Submitted: February 9, 2001

Decided: March 13, 2001

Before WIDENER, LUTTIG, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Gary Dean Boone, Appellant Pro Se. Alfred William Walker Bethea, Assistant United States Attorney, Florence, South Carolina; Thomas Ernest Booth, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Gary Dean Boone appeals the district court's order denying his motion for a new trial based upon newly discovered evidence filed under Rule 33 of the Federal Rules of Criminal Procedure. We have reviewed the record and the district court's order and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See United States v. Boone, No. CR-97-733 (D.S.C. Nov. 29, 2000). We deny Boone's motions for appointment of counsel and for copies of a transcript and court filings at Government expense. 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.

AFFIRMED