

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-7777**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

BARRY LEWIS MATTHEWS,

Defendant - Appellant.

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Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. James C. Turk, District Judge.  
(CA-96-1007-7)

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Submitted: February 8, 2001

Decided: February 15, 2001

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Before WILKINS, MOTZ, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Barry Lewis Matthews, Appellant Pro Se. Donald Ray Wolthuis, OFFICE  
OF THE UNITED STATES ATTORNEY, Roanoke, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Barry Lewis Matthews seeks to appeal the district court's order denying his Fed. R. Civ. P. 60(b) motion challenging the district court's prior denial of his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2000). We have reviewed the record and the district court's opinion and find no reversible error in its determination that Matthews' motion for reconsideration was untimely under Rule 60(b). Accordingly, we affirm on the reasoning of the district court. United States v. Matthews, No. CA-96-1007-07 (W.D. Va. Nov. 21, 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.

AFFIRMED