

Filed: July 11, 2001

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6129
(CR-98-53-CCB, CA-00-1565-CCB)

United States of America,

Plaintiff - Appellee,

versus

Marvin Beeachie Garner,

Defendant - Appellant.

O R D E R

The court amends its opinion filed July 3, 2001, as follows:

On the cover sheet, section 5 -- the panel information is corrected to read: "Before LUTTIG and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge."

For the Court - By Direction

/s/ Patricia S. Connor
Clerk

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6129

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MARVIN BEEACHIE GARNER,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, District Judge. (CR-98-53-CCB, CA-00-1565-CCB)

Submitted: June 20, 2001

Decided: July 3, 2001

Before LUTTIG and MOTZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Marvin Beeachie Garner, Appellant Pro Se. Joseph Lee Evans, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Marvin Beeachie Garner 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 and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Garner, Nos. CR-98-53-CCB; CA-00-1565-CCB (D. Md. Dec. 6, 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