

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6190

DICKIE FRELIN WIMMER,

Petitioner - Appellant,

versus

HOWARD PAINTER, Warden, Mount Olive Correc-
tional Complex,

Respondent - Appellee,

and

GEORGE TRENT,

Respondent.

Appeal from the United States District Court for the Southern
District of West Virginia, at Beckley. David A. Faber, District
Judge. (CA-98-292-5)

Submitted: June 20, 2001

Decided: June 29, 2001

Before NIEMEYER, LUTTIG, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Dickie Frelin Wimmer, Appellant Pro Se. Darrell V. McGraw, Jr.,
Dawn Ellen Warfield, OFFICE OF THE ATTORNEY GENERAL OF WEST VIR-
GINIA, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Dickie Frelin Wimmer seeks to appeal 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 accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. Wimmer v. Painter, No. CA-98-292-5 (S.D.W. Va. Mar. 30, 1999). 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