

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6274

CHARLES EVERETT HASELDEN,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-00-897-5-H)

Submitted: April 12, 2001

Decided: April 19, 2001

Before NIEMEYER, WILLIAMS, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Charles Everett Haselden, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles Everett Haselden appeals the district court's order denying relief on his 28 U.S.C. § 2241 (1994) petition. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm substantially on the reasoning of the district court. See Haselden v. United States, No. CA-00-897-5-H (E.D.N.C. filed Jan. 17, 2001; entered Jan. 18, 2001).* 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

* Even assuming Haselden could raise a claim under Apprendi v. New Jersey, 530 U.S. 466 (2000), in his § 2241 petition, his sentence was below the statutory maximum. See United States v. Kinter, 235 F.3d 192, 199-200 (4th Cir. 2000), cert. denied, ___ U.S. ___, 2001 WL 185105 (U.S. March 19, 2001) (No. 00-8591); United States v. Lewis, 235 F.3d 215, 219 (4th Cir. 2000) (applying a plain error standard of review). Thus, any such claim would lack merit.