

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-6293**

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HARRY HECKSTALL,

Plaintiff - Appellant,

versus

RONALD J. ANGELONE, Director, Virginia Department of Corrections,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Henry C. Morgan, Jr., District Judge; James E. Bradberry, Magistrate Judge. (CA-00-160)

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Submitted: July 17, 2001

Decided: September 11, 2001

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Before WIDENER, MICHAEL, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Harry Heckstall, Appellant Pro Se. Marla Graff Decker, Assistant Attorney General, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Harry Heckstall appeals the magistrate judge's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2000).<sup>1</sup> Although we conclude Heckstall's § 2254 petition was timely filed,<sup>2</sup> we find his claims are meritless. See Williams v. Taylor, 529 U.S. 362, 412-13 (2000). Accordingly, we deny a certificate of appealability and dismiss the appeal for that reason. 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

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<sup>1</sup> The parties consented to jurisdiction of the magistrate judge under 28 U.S.C.A. § 636(c) (West 1993 & Supp. 2000).

<sup>2</sup> See Harris v. Hutchinson, 209 F.3d 325 (4th Cir. 2000).