

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6635

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KENNETH EUGENE MCDANIEL,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Graham C. Mullen, Chief District Judge. (CR-94-111, CA-00-90-3-MU)

Submitted: August 31, 2001

Decided: October 9, 2001

Before MICHAEL, MOTZ, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Kenneth Eugene McDaniel, Appellant Pro Se. Brian Lee Whisler, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kenneth Eugene McDaniel appeals from the district court's order denying his motion to amend his 28 U.S.C.A. § 2255 (West Supp. 2001) motion. Our review of the record discloses no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. United States v. McDaniel, Nos. CR-94-111; CA-00-90-3-MU (W.D.N.C. filed Mar. 21, 2001; entered Mar. 23, 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.

DISMISSED