

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6884

CHARLES RAY CARTER,

Petitioner - Appellant,

versus

STATE OF SOUTH CAROLINA; SOUTH CAROLINA DE-
PARTMENT OF CORRECTIONS; COLIE RUSHTON, Warden
of McCormick Correctional Institution; CHARLIE
CONDON, Attorney General of the State of South
Carolina,

Respondents - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenville. Henry M. Herlong, Jr., District
Judge. (CA-00-2179-6-20AK)

Submitted: September 6, 2001 Decided: September 13, 2001

Before WIDENER, WILLIAMS, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Charles Ray Carter, Appellant Pro Se. Donald John Zelenka, Chief
Deputy Attorney General, S. Creighton Waters, OFFICE OF THE AT-
TORNEY GENERAL OF SOUTH CAROLINA, Columbia, South Carolina, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles Ray Carter seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2001). 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. Carter v. South Carolina, No. CA-00-2179-6-20AK (D.S.C. Apr. 30, 2001). We deny the motion for appointment of counsel and 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