

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7372

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JAMES EDWARD THOMAS,

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-97-299, CA-00-206-3-1-V)

Submitted: May 16, 2002

Decided: May 22, 2002

Before NIEMEYER, MICHAEL, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

James Edward Thomas, 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Unpublished opinions are not binding precedent in this circuit.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:

James Edward Thomas seeks to appeal the district court's orders denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2001) and denying reconsideration of that order. We have reviewed the record and the district court's orders and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court.* United States v. Thomas, Nos. CR-97-299; CA-00-206-3-1-V (W.D.N.C. Apr. 23 & July 19, 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

* To the extent Thomas attempts to argue issues not raised in his § 2255 motion, those issues are not considered here because he has not shown exceptional circumstances. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993).