

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-7635**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ELLOWOOD EUGENE BENNETT,

Defendant - Appellant.

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Appeal from the United States District Court for the Northern District of West Virginia, at Elkins. Robert Earl Maxwell, Senior District Judge. (CR-90-78, CA-96-10-2)

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Submitted: December 20, 2001

Decided: January 9, 2002

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Before LUTTIG, TRAXLER, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Ellowood Eugene Bennett, Appellant Pro Se. Patrick Michael Flatley, OFFICE OF THE UNITED STATES ATTORNEY, Wheeling, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Elwood Eugene Bennett seeks to appeal the district court's order denying his motions to supplement his 28 U.S.C.A. § 2255 (West Supp. 2001) motion and for relief from judgment. We have reviewed the record and the district court's order and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Bennett, Nos. CR-90-78; CA-96-10-2 (N.D.W. Va. Aug. 8, 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