

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7759

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

EDWARD MACK HICKS,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, District Judge. (CR-95-43, CA-97-153-5-V)

Submitted: February 14, 2002

Decided: February 26, 2002

Before WIDENER, LUTTIG, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Edward Mack Hicks, Appellant Pro Se. Robert Jack Higdon, Jr., 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Unpublished opinions are not binding precedent in this circuit.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:

Edward Mack Hicks seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2001). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, although we grant leave to proceed in forma pauperis, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Hicks, Nos. CR-95-43; CA-97-153-5-V (W.D.N.C. filed Aug. 20, 2001, entered Aug. 24, 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