

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-8102**

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LUIS HERNANDEZ, a/k/a Larry Stanford,

Petitioner - Appellant,

versus

STATE OF NORTH CAROLINA; CUMBERLAND COUNTY;  
DAVID MITCHELL,

Respondents - Appellees.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-01-657-5)

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Submitted: April 15, 2002

Decided: July 29, 2002

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Before NIEMEYER, LUTTIG, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Luis Hernandez, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Luis Hernandez seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C. § 2254 (2000). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Hernandez v. North Carolina, No. CA-01-657-5 (E.D.N.C. Aug. 28, 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