

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-6171**

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JAY TIMOTHY LURZ,

Petitioner - Appellant,

versus

JON P. GALLEY, Warden; ATTORNEY GENERAL FOR  
THE STATE OF MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Andre M. Davis, District Judge. (CA-01-  
1994-AMD)

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Submitted: April 25, 2002

Decided: May 6, 2002

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Before WILLIAMS and KING, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Jay Timothy Lurz, Appellant Pro Se. John Joseph Curran, Jr.,  
Attorney General, Ann Norman Bosse, OFFICE OF THE ATTORNEY GENERAL  
OF MARYLAND, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jay Timothy Lurz appeals the district court's order dismissing without prejudice 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 and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Lurz v. Galley, No. CA-01-1994-AMD (D. Md. Dec. 26, 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