

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-6346**

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KELVIN J. MILES,

Petitioner - Appellant,

versus

LLOYD WATERS, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Frederic N. Smalkin, Chief District Judge. (CA-02-428-S)

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Submitted: March 20, 2002

Decided: April 12, 2002

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Before WIDENER, LUTTIG, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Kelvin J. Miles, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kelvin J. Miles appeals the district court's order denying relief on 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. Miles v. Waters, No. CA-02-428-S (D. Md. Feb. 13, 2002). We deny the motion for leave to proceed in forma pauperis and 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. Miles' motion for appointment of counsel is denied.

DISMISSED