

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-6618

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

SAMUEL GENE WOODS,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Richard L. Voorhees, District Judge. (CR-91-1, CA-97-100-V)

Submitted: June 13, 2002

Decided: June 19, 2002

Before WIDENER, LUTTIG, and WILLIAMS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Samuel Gene Woods, Appellant Pro Se. Thomas Richard Ascik, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Samuel Gene Woods appeals the district court's order denying his motion for reconsideration. 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 on the reasoning of the district court. See United States v. Woods, Nos. CR-91-1; CA-97-100-V (W.D.N.C. Feb. 1, 2002). 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

* Woods' appeal of the February 1, 2002, denial of his motion for reconsideration, filed on April 12, 2002, is considered timely because judgment was not entered in a separate document requirement. See Fed. R. Civ. P. 58; Fiore v. Washington Co. Community Mental Health Ctr., 960 F.2d 229, 234 (1st Cir. 1992); Hollywood v. City of Santa Maria, 886 F.2d 1228, 1231 (9th Cir. 1989) (Rule 59 motion); Hughes v. Halifax County School Bd., 823 F.2d 832, 835 (4th Cir. 1987) (holding a document that attempts to combine the court's reasoning and its final disposition is not likely to be considered a separate document under Rule 58).