

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-7191**

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TOMAS RAFEAL ARROYO, JR.,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director, Virginia  
Department of Corrections,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern  
District of Virginia, at Richmond. James R. Spencer, District  
Judge. (CA-01-534-3)

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Submitted: October 10, 2002

Decided: October 21, 2002

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Before WILLIAMS, KING, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Tomas Rafeal Arroyo, Jr., Appellant Pro Se. Hazel Elizabeth  
Shaffer, Assistant Attorney General, Richmond, Virginia, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Tomas Rafeal Arroyo, Jr., seeks to appeal the district court's order denying as untimely his petition filed under 28 U.S.C. § 2254 (2000). We have reviewed the record and the district court's opinion and dismiss for the reasons stated by the district court. See Arroyo v. Angelone, No. CA-01-534-3 (E.D. Va. July 12, 2002). We deny a certificate of appealability. See 28 U.S.C. § 2253(c) (2000). 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