

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-7595

STONEY WILLIAM AULT,

Petitioner - Appellant,

versus

WILLIAM S. HAINES, Warden, Huttonsville
Correctional Center,

Respondent - Appellee.

Appeal from the United States District Court for the Northern
District of West Virginia, at Elkins. Robert E. Maxwell, Senior
District Judge. (CA-04-94)

Submitted: May 24, 2006

Decided: June 8, 2006

Before NIEMEYER, KING, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Stoney William Ault, Appellant Pro Se. Dawn Ellen Warfield, OFFICE
OF THE ATTORNEY GENERAL OF WEST VIRGINIA, Charleston, West
Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Stoney William Ault, a state prisoner, appeals the district court's order adopting the recommendation of the magistrate judge and denying relief on his 28 U.S.C. § 2254 (2000) petition without prejudice. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Ault v. Haines, No. CA-04-94 (N.D. W. Va. Sept. 30, 2005). 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.

AFFIRMED