

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 95-7662

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BILLY R. BRASWELL,

Petitioner - Appellant,

versus

WILFORD SHIELDS, Superintendent, Hoke Correc-  
tional Institution,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. W. Earl Britt, District  
Judge. (CA-94-607-5-BR)

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Submitted: March 21, 1996

Decided: April 4, 1996

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Before NIEMEYER and MICHAEL, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Billy R. Braswell, Appellant Pro Se. Clarence Joe DelForge, III,  
OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North  
Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (1988) petition. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of probable cause to appeal and dismiss the appeal on the reasoning of the district court. Braswell v. Shields, No. CA-94-607-5-BR (E.D.N.C. Sept. 28, 1995). We deny Appellant's motion for appointment of counsel 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.

DISMISSED