

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-8582

ELLIS HARVEY MARSEY,

Petitioner - Appellant,

versus

JEB S. CREWS, Unit Supervisor,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Chief District Judge. (CA-95-518-5-HC-F)

Submitted: August 15, 1996

Decided: August 20, 1996

Before MURNAGHAN and ERVIN, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Ellis Harvey Marsey, Appellant Pro Se. Clarence Joe DelForge, III, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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 habeas corpus petition, 28 U.S.C. § 2254 (1988), as amended by Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1214. We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of probable cause to appeal; to the extent that such a certificate of appealability is required, we deny such a certificate. We dismiss the appeal on the reasoning of the district court. Marsey v. Crews, No. CA-95-518-5-HC-F (E.D.N.C. Dec. 7, 1995). We further deny Appellant's motions for the appointment of counsel, to be heard as a pro se Appellant, and for relief from violations of rights. 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