UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6267

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MAURICE V. SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CR-93-51, CA-95-47-4-H)

Submitted: July 23, 1996 Decided: July 31, 1996

Before WIDENER, NIEMEYER, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Maurice V. Smith, Appellant Pro Se. Charles Edwin Hamilton, III, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the district court's order denying his Fed. R. Civ. P. 60(b) motion for reconsideration of the court order denying relief under 28 U.S.C. § 2255 (1988), as amended by Anti-terrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1217. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. United States v. Smith, Nos. CR-93-51; CA-95-47-4-H (E.D.N.C. Feb. 6, 1996). We also deny his motion for the preparation of a transcript at Government's expense 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.

AFFIRMED