

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6329

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KENNETH THOMAS, SR.,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Albert V. Bryan, Jr., Senior District Judge. (CR-94-514-A, CA-96-46-AM)

Submitted: July 30, 1996

Decided: August 7, 1996

Before LUTTIG, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Kenneth Thomas, Sr., Appellant Pro Se. Morris Rudolph Parker, Jr., Assistant United States Attorney, Carol Mieyoung Lee, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, 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Unpublished opinions are not binding precedent in this circuit.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 28 U.S.C. § 2255 (1988) motion. 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. Thomas, Nos. CR-94-514-A; CA-96-46-AM (E.D. Va. Jan. 29, 1996). We deny Appellant's motion to "advance" his appeal as moot. 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