

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6654

JAMES MCCOY HARRIS,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL; TOM C.
MARTIN,

Respondents - Appellees.

Appeal from the United States District Court for the Middle Dis-
trict of North Carolina, at Salisbury. Paul Trevor Sharp, Magis-
trate Judge. (CA-95-759-1)

Submitted: December 12, 1996 Decided: December 18, 1996

Before MURNAGHAN, NIEMEYER, and LUTTIG, Circuit Judges.

Dismissed by unpublished per curiam opinion.

James McCoy Harris, Appellant Pro Se. Clarence Joe DelForge, III,
OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant seeks to appeal the magistrate judge's order denying relief on his petition filed under 28 U.S.C. § 2254 (1994), 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 magistrate judge's opinion and find no reversible error. Accordingly, we deny a certificate of probable cause to appeal; to the extent a certificate of appealability is required, we deny such certificate. We dismiss the appeal on the reasoning of the magistrate judge. Harris v. North Carolina Attorney General, No. CA-95-759-1 (M.D.N.C. Mar. 22, 1996). We also deny Appellant's motion to proceed in forma pauperis. 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

* The parties consented to disposition by a magistrate judge pursuant to 28 U.S.C. § 636(c) (1994).