

Filed: March 31, 1997

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7158
(CR-89-5-V, CA-94-59-5-V)

United States of America,

Plaintiff - Appellee,

versus

Harold Franklin Anderson,

Defendant - Appellant.

O R D E R

The Court amends its opinion filed February 4, 1997, as follows:

On the cover sheet, section 7 -- counsel is corrected to read: "Harry Thomas Church, Assistant United States Attorney, Charlotte, North Carolina, for Appellee."

For the Court - By Direction

/s/ Patricia S. Connor

Clerk

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7158

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

HAROLD FRANKLIN ANDERSON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Statesville. Richard L. Voorhees, Chief District Judge. (CR-89-5-V, CA-94-59-5-V)

Submitted: January 23, 1997

Decided: February 4, 1997

Before RUSSELL, WILKINS, and WILLIAMS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Harold Franklin Anderson, Appellant Pro Se. H. Thomas Church, Assistant United States Attorney, Charlotte, 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Unpublished opinions are not binding precedent in this circuit.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 his motion filed under 28 U.S.C. § 2255 (1994), amended by Anti-terrorism 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 and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. United States v. Anderson, Nos. CR-89-5-V; CA-94-59-5-V (W.D.N.C. June 25, 1996). 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