

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-7486**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

BEVIL LEE GROVES, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CR-92-28-3-1-H, CA-96-241-5-H)

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Submitted: November 25, 1997

Decided: January 13, 1998

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Before WILKINS and NIEMEYER, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Bevil Lee Groves, Jr., Appellant Pro Se. Tracy David Knox, UNITED STATES ARMY, Fort Bragg, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's orders denying his motion filed under 28 U.S.C. § 2255 (1994) (current version at 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997)) and his Fed. R. Civ. P. 60(b) motion. We have reviewed the record and the district court's opinion and orders and find no reversible error. Accordingly, we affirm on the reasoning of the district court. United States v. Groves, Nos. CR-92-28-3-1-H; CA-96-241-5-H (E.D.N.C. Apr. 26 and May 13, 1996). See Lindh v. Murphy, 521 U.S. \_\_\_, 1997 WL 338568 (U.S. June 23, 1997) (No. 96-6298). We deny Appellant's motion to remand this case for new trial. 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