

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7506

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DARRELL L. PADGETT,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Bluefield. Elizabeth V. Hallanan, District Judge. (CR-91-166, CA-94-377-1)

Submitted: January 9, 1997

Decided: February 12, 1997

Before HALL and MICHAEL, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Darrell L. Padgett, Appellant Pro Se. John Castle Parr, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order denying his motion for reconsideration of the court's earlier order denying relief under 28 U.S.C. § 2255 (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 district court's opinion and find no reversible error. Accordingly, we deny a certificate of probable cause and dismiss the appeal on the reasoning of the district court. United States v. Padgett, Nos. CR-91-166; CA-94-377-1 (S.D.W. Va. July 30, 1996). We deny Appellant's motions for abeyance and remand. 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