

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 96-7712**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

BYRON LEE WRAY, a/k/a Slick,

Defendant - Appellant.

---

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. N. Carlton Tilley, Jr., District Judge. (CR-89-127-D, CA-96-97-1)

---

Submitted: May 1, 1997

Decided: May 7, 1997

---

Before WIDENER and MURNAGHAN, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

---

Dismissed by unpublished per curiam opinion.

---

Byron Lee Wray, Appellant Pro Se. United States Attorney, Greensboro, North Carolina, 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Unpublished opinions are not binding precedent in this circuit.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 accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss on the reasoning of the district court. United States v. Wray, Nos. CR-89-127-D; CA-96-97-1 (M.D.N.C. Oct. 18, 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