

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 96-7717

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MARK PAUL SARNO,

Defendant - Appellant.

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Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Robert Earl Maxwell, Senior District Judge. (CR-91-133, CA-96-97)

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Submitted: March 31, 1997

Decided: April 25, 1997

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Before WIDENER, MURNAGHAN, and NIEMEYER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Mark Paul Sarno, Appellant Pro Se. Sherry L. Muncy, OFFICE OF THE UNITED STATES ATTORNEY, Elkins, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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.A. § 2255 (West 1994 & Supp. 1997). 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. Sarno, Nos. CR-91-133; CA-96-97 (N.D.W. Va. Oct. 11, 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