

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7762

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MARCELLUS DERRELL BECKETT,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. Solomon Blatt, Jr., Senior District Judge. (CR-94-682, CA-96-1797-2-8)

Submitted: March 24, 1998

Decided: April 3, 1998

Before WILLIAMS, MICHAEL, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Marcellus Derrell Beckett, Appellant Pro Se. Sean Kittrell, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, South 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Unpublished opinions are not binding precedent in this circuit.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.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 substantially on the reasoning of the district court.* United States v. Beckett, Nos. CR-94-682; CA-96-1797-2-8 (D.S.C. Oct. 28, 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

* In addition to the facts discussed by the district court, the record overwhelmingly reveals that Appellant physically carried his drugs, drug distribution paraphernalia, and weapon. See United States v. Mitchell, 104 F.3d 649, 653-54 (4th Cir. 1997).