

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-2461**

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DAVID KEITH SUMRELL,

Plaintiff - Appellant,

versus

MOODY E. STALLINGS, JR.; MARY SUE TERRY,  
Former Attorney General; ATTORNEY GENERAL OF  
THE COMMONWEALTH OF VIRGINIA; DIXON L. FOSTER,  
Honorable Judge, Retired; SUPREME COURT OF  
VIRGINIA; RICHARD C. VORHIS, Assistant Bar  
Counsel; VIRGINIA STATE BAR; GEORGE ALLEN,  
Governor; OFFICE OF THE GOVERNOR OF THE  
COMMONWEALTH OF VIRGINIA,

Defendants - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Norfolk. Rebecca B. Smith, District Judge.  
(CA-97-115-2)

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Submitted: December 16, 1997

Decided: January 20, 1998

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Before MURNAGHAN, WILKINS, and LUTTIG, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David Keith Sumrell, Appellant Pro Se. Kevin Edward Martin-Gayle, STALLINGS & RICHARDSON, Virginia Beach, Virginia; Grover C. Wright, Jr., Virginia Beach, Virginia; Catherine Currin Hammond, Gregory E. Lucyk, Peter Robert Messitt, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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 order dismissing his petition for an order vacating his conviction. We have reviewed the record and the district court's opinions and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Sumrell v. Stallings, No. CA-97-115-2 (E.D. Va. Sept. 19, 1997). 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