

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-6491**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROY DANIEL WEISS,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Terrence W. Boyle, District Judge. (CR-93-16, CR-93-24, CR-93-25, CA-96-269-1-V)

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Submitted: November 6, 1997

Decided: November 19, 1997

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Before WIDENER and LUTTIG, Circuit Judges, and BUTZNER, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Roy Daniel Weiss, Appellant Pro Se. Thomas Richard Ascik, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, 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Unpublished opinions are not binding precedent in this circuit.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, deny leave to proceed in forma pauperis, and dismiss the appeal on the reasoning of the district court. United States v. Weiss, Nos. CR-93-16; CR-93-24; CR-93-25; CA-96-269-1-V (W.D.N.C Feb. 12, 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.

DISMISSED