

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-6754**

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CHRISTOPHER LYMAN HUGHES,

Plaintiff - Appellant,

versus

WARDEN DE WALT,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Leonie M. Brinkema, District Judge. (CR-90-92-G, CA-97-398-AM)

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Submitted: December 11, 1997

Decided: December 24, 1997

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Before HALL and WILLIAMS, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Christopher Lyman Hughes, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Christopher Hughes seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997).<sup>\*</sup> 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. Hughes v. De Walt, Nos. CR-90-92-G; CA-97-398-AM (E.D. Va. May 5, 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

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<sup>\*</sup> While Hughes originally filed for relief under 28 U.S.C. § 2241 (1994), the district court properly construed his action as a § 2255 motion.