

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6837

LEMUEL L. MCGLONE, JR.,

Petitioner - Appellant,

versus

WILLIAM L. SMITH; ATTORNEY GENERAL OF THE
STATE OF MARYLAND,

Respondents - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, Chief District Judge; John R. Hargrove, Senior District Judge. (CA-95-3450-JFM)

Submitted: October 31, 1997

Decided: December 18, 1997

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

Dismissed by unpublished per curiam opinion.

Lemuel L. McGlone, Jr., Appellant Pro Se. John Joseph Curran, Jr., Attorney General, Gwynn X. Kinsey, Jr., Assistant Attorney General, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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 relief on his petition filed under 28 U.S.C. § 2254 (1994) (current version at 28 U.S.C.A. § 2254 (West 1994 & Supp. 1997)). We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of probable cause to appeal, see Lindh v. Murphy, 117 S. Ct. 2059 (1997), and dismiss the appeal on the reasoning of the district court, see McGlone v. Smith, No. CA-95-3450-JFM (D. Md. Feb. 3, 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