

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6958

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

NILGEL R. PARKER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Aiken. Charles E. Simons, Jr., Senior District Judge. (CR-91-577, CA-96-3879-1)

Submitted: November 25, 1997

Decided: January 9, 1998

Before HALL, ERVIN, and WILKINS, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Nilgel R. Parker, Appellant Pro Se. Jane Barrett Taylor, OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Nilgel Parker 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 on the reasoning of the district court.* United States v. Parker, Nos. CR-91-577; CA-96-3879-1 (D.S.C. 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

* Appellant's ineffective assistance of counsel claim is not properly before this court because he did not raise it in the district court. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993).