

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-6979**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOSEPH FRANCIS HAYWOOD,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, Chief District Judge. (CR-93-84-5-1-F, CA-97-267-5-F)

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Submitted: September 11, 1997      Decided: September 23, 1997

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Before RUSSELL, MURNAGHAN, and HAMILTON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Joseph Francis Haywood, Appellant Pro Se. Christine Blaise Hamilton, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, 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Unpublished opinions are not binding precedent in this circuit.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 and dismiss the appeal on the reasoning of the district court. United States v. Haywood, Nos. CR-93-84-5-1-F; CA-97-267-5-F (E.D.N.C. June 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