

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7647**

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BENJAMIN WALKER PERKINS,

Petitioner - Appellant,

versus

CHARLES E. THOMPSON, Warden; RONALD ANGELONE,  
Director, Virginia Department of Corrections;  
STAUNTON CORRECTIONAL CENTER,

Respondents - Appellees.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, Chief District Judge. (CA-96-879-R)

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Submitted: April 16, 1998

Decided: April 29, 1998

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Before WILKINS and HAMILTON, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Benjamin Walker Perkins, Appellant Pro Se. Wirt Peebles Marks, IV, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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 relief on his petition filed under 28 U.S.C.A. § 2254 (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. Perkins v. Thompson, No. CA-96-879-R (W.D. Va. Sept. 22, 1997). We deny Appellant's motion for the appointment of counsel and 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