

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-7808

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ORIN NIGEL CARR, a/k/a Stretch, a/k/a
Christopher Codgell,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Fox, District Judge. (CR-92-53-F, CA-97-319-5-F)

Submitted: May 28, 1998

Decided: June 10, 1998

Before ERVIN, LUTTIG, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Orin Nigel Carr, Appellant Pro Se. Robert Edward Skiver, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Orin Nigel Carr seeks to appeal the district court's orders denying relief on his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1998), and on his motion to amend the § 2255 motion. We have reviewed the record and the district court's order denying Carr's § 2255 motion and find no reversible error. The district court properly denied relief on Carr's claim that counsel was ineffective for failing to challenge the enhancement for his role in the offense because he failed to meet the standard in Strickland v. Washington, 466 U.S. 668, 688, 694 (1984). Although the district court may have improperly denied Carr's motion to amend, any error was harmless. Accordingly, we deny a certificate of appealability and dismiss the appeal. 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