

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7836**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MACAVOY TYREE,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (CR-92-97-A, CA-97-999-A)

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Submitted: March 24, 1998

Decided: April 28, 1998

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Before WILKINS, HAMILTON, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Macavoy Tyree, Appellant Pro Se. Quincy Leon Ollison, Assistant United States Attorney, Alexandria, Virginia, 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Unpublished opinions are not binding precedent in this circuit.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. Tyree, Nos. CA-92-97-A; CA-97-999-A (E.D. Va. Oct. 14, 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