

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 98-6186**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

EDWARD OTIS RUTLAND,

Defendant - Appellant.

---

Appeal from the United States District Court for the District of South Carolina, at Orangeburg. Charles E. Simons, Jr., Senior District Judge. (CR-91-132-5, CA-97-811-5)

---

Submitted: April 29, 1998

Decided: May 18, 1998

---

Before MURNAGHAN, NIEMEYER, and WILLIAMS, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

Robert Gregg Levitt, Denver, Colorado, for Appellant. 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Unpublished opinions are not binding precedent in this circuit.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:

Appellant seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1998). 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. Rutland, Nos. CR-91-132-5; CA-97-811-5 (D.S.C. Dec. 8, 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