

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6268

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICHARD DEAN MEARS,

Defendant - Appellant.

No. 98-6269

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RICHARD DEAN MEARS,

Defendant - Appellant.

Appeals from the United States District Court for the Middle District of North Carolina, at Greensboro. Richard C. Erwin, Senior District Judge. (CR-84-194, CR-84-218)

Submitted: November 19, 1998

Decided: December 1, 1998

Before HAMILTON and WILLIAMS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Richard Dean Mears, Appellant Pro Se. Douglas Cannon, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Richard Mears appeals orders of the district court denying his motion to rescind restitution and clarify his sentence. The district court denied the motion on the ground that Mears's arguments were not compelling. We conclude that the district court lacked jurisdiction to grant the relief sought by Mears. As he is outside the time limits specified in Fed. R. Crim. P. 35, Mears must challenge his sentence pursuant to 28 U.S.C.A. § 2255 (West 1994 & Supp. 1998). We therefore affirm the district court orders denying the motions.

AFFIRMED