

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6275

SAMUEL DAVID GULLION,

Petitioner - Appellant,

versus

WARDEN OF BRUNSWICK CORRECTIONAL CENTER,

Respondent - Appellee.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. James C. Turk, District Judge.
(CA-97-361-R)

Submitted: May 14, 1998

Decided: June 3, 1998

Before WIDENER and MICHAEL, Circuit Judges, and BUTZNER, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Samuel David Gullion, Appellant Pro Se. Leah Ann Darron, Assistant
Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1998). On appeal, he challenges the district court's denial of relief on his claims that the victim's contradictory testimony amounted to perjury, that his counsel was ineffective in failing to challenge the testimony, and that the trial transcript was altered to cover up perjury and other trial errors. We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. Gullion v. Warden of Brunswick Correctional Ctr., No. CA-97-361-R (W.D. Va. Feb. 12, 1998). 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