

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6333

MIKE DAVID HICKMAN,

Petitioner - Appellant,

versus

LLOYD WATERS, Warden; ATTORNEY GENERAL OF THE
STATE OF MARYLAND,

Respondents - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. Alexander Harvey II, Senior District
Judge. (CA-97-1189-H)

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Dismissed by unpublished per curiam opinion.

Mike David Hickman, Appellant Pro Se. John Joseph Curran, Jr., At-
torney General, Mary Ann Rapp Ince, OFFICE OF THE ATTORNEY GENERAL
OF MARYLAND, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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 relief on his petition filed under 28 U.S.C.A. § 2254 (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. Hickman v. Waters, No. CA-97-1189-H (D. Md. Feb. 17, 1998). We decline to consider Appellant's claim that his arrest warrant was invalid because this claim was not presented to the district court and cannot be raised for the first time on appeal. See Spencer v. Murray, 5 F.3d 758, 761-62 (4th Cir. 1993). 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