

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6591

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

SEAN SMITH STEVENSON,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. N. Carlton Tilley, Jr., District Judge. (CR-93-244, CA-97-115-2)

Submitted: August 27, 1998

Decided: September 17, 1998

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

Dismissed by unpublished per curiam opinion.

Sean Smith Stevenson, Appellant Pro Se. Paul Alexander Weinman, 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Unpublished opinions are not binding precedent in this circuit.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:

Sean Smith Stevenson 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 accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny Stevenson's application to proceed on appeal in forma pauperis, deny a certificate of appealability, and dismiss the appeal on the reasoning of the district court. United States v. Stevenson, Nos. CR-93-244; CA-97-115-2 (M.D.N.C. Nov. 10, 1997; Apr. 3, 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