

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6664

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FRANCIS NWANKWO, a/k/a Chucka,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Herbert N. Maletz, Senior Judge, sitting by designation. (CR-91-308-HAR, CA-97-1301-HNM)

Submitted: January 29, 1999

Decided: February 17, 1999

Before WILKINS and LUTTIG, Circuit Judges, and HALL, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Francis Nwankwo, Appellant Pro Se. Brent Jefferson Gurney, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Francis Nwankwo 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 substantially on the reasoning of the district court.* See United States v. Nwankwo, Nos. CR-91-308-HAR; CA-97-1301-HNM (D. Md. Apr. 16, 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

* The district court determined that a portion of the prosecutor's closing argument was improper but not prejudicial. See United States v. Nwankwo, 2 F. Supp.2d 765, 769 (D. Md. 1998). Because we find the argument was not prejudicial, we find it unnecessary to consider whether it was improper.