

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6687

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FREDERICK MARION COOK, III, a/k/a Fredrick
Marion Cook,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Greensboro. William L. Osteen, Sr.,
District Judge. (CR-96-136-2, CA-97-994-1)

Submitted: August 13, 1998

Decided: September 3, 1998

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

Dismissed by unpublished per curiam opinion.

Frederick Marion Cook, III, Appellant Pro Se. Michael Francis
Joseph, Assistant United States Attorney, Greensboro, North Caro-
lina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Frederick Marion Cook, III, 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 a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. Cook, Nos. CR-96-136-2; CA-97-994-1 (M.D.N.C. Apr. 6, 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