

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-6731**

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ARDI D. NOLON, III,

Petitioner - Appellant,

versus

JAMES B. FRENCH,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-97-860-5-H)

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Submitted: September 30, 1998

Decided: October 19, 1998

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

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Dismissed by unpublished per curiam opinion.

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Ardi D. Nolon, III, Appellant Pro Se. Clarence Joe DelForge, III, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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. 1997). 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. Nolon v. French, No. CA-97-860-5-H (E.D.N.C. Apr. 2, 1998). We deny Appellant's motion for appointment of counsel. 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