

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6794

BRETT C. KIMBERLIN,

Plaintiff - Appellant,

versus

DEPARTMENT OF JUSTICE; UNITED STATES PAROLE
COMMISSION,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Alexander Williams, Jr., District Judge.
(CA-98-730-AW)

Submitted: November 19, 1998

Decided: December 2, 1998

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

Affirmed by unpublished per curiam opinion.

Brett C. Kimberlin, Appellant Pro Se. Lynne Ann Battaglia, United
States Attorney, Tamera Lynn Fine, OFFICE OF THE UNITED STATES
ATTORNEY, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Brett C. Kimberlin appeals the district court's order denying relief on his 42 U.S.C.A. § 1983 (West Supp. 1998) complaint. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Kimberlin v. United States Dep't of Justice, No. CA-98-730-AW (D. Md. May 5, 1998).^{*} We deny Kimberlin's motion to place this case in abeyance and 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.

AFFIRMED

^{*} Although the district court's judgment or order is marked as "filed" on April 30, 1998, the district court's records show that it was entered on the docket sheet on May 5, 1998. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the judgment or order was physically entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).