

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7167

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JAMES EARL LINDSEY,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Greenville. G. Ross Anderson, Jr., District Judge. (CR-96-858)

Submitted: November 5, 1998

Decided: November 23, 1998

Before ERVIN, LUTTIG, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Earl Lindsey, Appellant Pro Se. Harold Watson Gowdy, III, OFFICE OF THE UNITED STATES ATTORNEY, Greenville, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

James Earl Lindsey appeals the district court's order denying his Fed. R. Crim. P. 41(e) motion for return of property. 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 and deny Appellant's motion to appoint counsel. United States v. Lindsey, No. CR-96-858 (D.S.C. July 9, 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.

AFFIRMED