

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7189**

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DENNIS BAYSDEN,

Petitioner - Appellant,

versus

ATTORNEY GENERAL OF NORTH CAROLINA; MACK  
JARVIS,

Respondents - Appellees.

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Appeal from the United States District Court for the Middle Dis-  
trict of North Carolina, at Rockingham. James A. Beaty, Jr., Dis-  
trict Judge. (CA-97-574-3)

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Submitted: March 25, 1999

Decided: March 30, 1999

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Before WILKINS and MOTZ, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Dennis Baysden, Appellant Pro Se. Kendrick C. Fentress, Assistant  
Attorney General, Raleigh, North Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Dennis Baysden seeks to appeal the district court's order accepting a magistrate judge's recommendation to grant Respondents' motion for summary judgment and deny relief on Baysden's petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1998) and a subsequent order denying his motion to alter or amend the judgment. We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error in the court's orders. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Baysden v. Attorney General of North Carolina, No. CA-97-574-3 (M.D.N.C. July 1, 1998; Dec. 10, 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