

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7282**

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BENJAMIN HUBBARD,

Petitioner - Appellant,

versus

STATE OF SOUTH CAROLINA; SOUTH CAROLINA DE-  
PARTMENT OF PROBATION, PAROLE AND PARDON SER-  
VICES; ATTORNEY GENERAL OF THE STATE OF SOUTH  
CAROLINA,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Greenville. Cameron McGowan Currie, District  
Judge. (CA-98-713-6-22AK)

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Submitted: January 7, 1999

Decided: January 19, 1999

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Before WIDENER, MURNAGHAN, and ERVIN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Benjamin Hubbard, Appellant Pro Se. Donald John Zelenka, Chief  
Deputy Attorney General, Columbia, South Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Benjamin Hubbard appeals the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (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 Hubbard v. South Carolina, No. CA-98-713-6-22AK (D.S.C. Aug. 10, 1998). We deny the motion to authorize transcripts at the Government's expense 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.

DISMISSED