

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7451**

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CLIFTON PAUL BRINEGAR,

Petitioner - Appellant,

versus

THOMAS CORCORAN, Warden; ATTORNEY GENERAL OF  
THE STATE OF MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. William M. Nickerson, District Judge.  
(CA-98-650-WMN)

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Submitted: December 22, 1998

Decided: January 11, 1999

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

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Dismissed by unpublished per curiam opinion.

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Clifton Paul Brinegar, Appellant Pro Se. Regina Hollins Lewis,  
Assistant Attorney General, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Clifton Paul Brinegar appeals the district court's order denying his petition for habeas corpus relief and dismissing with prejudice. 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 substantially on the reasoning of the district court. See Brinegar v. Corcoran, No. CA-98-650-WMN (D. Md. Sept. 16, 1998). Although the district court determined that Appellant's claim regarding the involuntariness of his plea was procedurally defaulted (R. 11 at 8), we find that Appellant properly preserved the claim. (R. 8 at tab 5). Nevertheless, a review of the record shows that the claim lacks merit. See Fields v Attorney Gen of Md., 956 F.2d 1290, 1299 (4th Cir. 1992). 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