

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7489

NOLAN C. RORIE,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL,

Respondent - Appellee.

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. Frank W. Bullock, Jr., Chief District Judge. (CA-97-839-1)

Submitted: February 23, 1999

Decided: April 19, 1999

Before ERVIN, WILKINS, and NIEMEYER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Nolan C. Rorie, Appellant Pro Se. Clarence Joe DelForge, III, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Nolan C. Rorie seeks to appeal 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. Rorie v. North Carolina Attorney Gen., No. CA-97-839-1 (M.D.N.C. Sept. 28, 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