

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-7533**

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OBALDO LAINEZ FLORES,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL; NORTH CARO-  
LINA DEPARTMENT OF CORRECTION; STATE OF NORTH  
CAROLINA,

Respondents - Appellees.

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Appeal from the United States District Court for the Middle Dis-  
trict of North Carolina, at Durham. Paul Trevor Sharp, Magistrate  
Judge. (CA-98-371-1)

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Submitted: December 29, 1998

Decided: January 15, 1999

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Before NIEMEYER and TRAXLER, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Obaldo Lainez Flores, Appellant Pro Se. Clarence Joe DelForge, III,  
OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North  
Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Obaldo Lainez Flores 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 leave to proceed in forma pauperis, deny a certificate of appealability, and dismiss the appeal on the reasoning of the district court. See Flores v. North Carolina Atty Gen, No. CA-98-371-1 (M.D.N.C. Sept. 29, 1998). See also Brown v. Angelone, 150 F.3d 370, 375-76 (4th Cir. 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