

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7587

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JEFFREY MAILLARD, a/k/a Spice,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca B. Smith, District Judge. (CR-94-163, CA-98-214-2)

Submitted: December 17, 1998

Decided: January 12, 1999

Before WILKINS, NIEMEYER, and TRAXLER, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Jeffrey Maillard, Appellant Pro Se. Laura P. Tayman, OFFICE OF THE UNITED STATES ATTORNEY, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jeffrey John Maillard seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1998). 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 the appeal on the reasoning of the district court. See United States v. Maillard, Nos. CR-94-163; CA-98-214-2 (E.D. Va. Sept. 3, 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

^{*} Pursuant to Fed. R. Civ. P. 58 and 79(a), the order from which Maillard appeals was entered on the district court's docket September 3, 1998. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).