

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7652

MAURO ABOYTES-VERA,

Petitioner - Appellant,

versus

RONALD ANGELONE,

Respondent - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Jackson L. Kiser, Senior District Judge. (CA-98-465-R)

Submitted: January 7, 1998

Decided: January 21, 1999

Before WIDENER, MURNAGHAN, and ERVIN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Mauro Aboytes-Vera, Appellant Pro Se. Richard Bain Smith, Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mauro Aboytes-Vera 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 and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Aboytes-Vera v. Angelone, No. CA-98-465-R (W.D. Va. Oct. 22, 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