

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-1790

In Re: BRETT C. KIMBERLIN,

Debtor.

BRETT C. KIMBERLIN,

Debtor - Appellant,

versus

UNITED STATES OF AMERICA,

Defendant - Appellee,

and

JAMES TURNER,

Party-in-interest.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Alexander Williams, Jr., District Judge. (CA-98-3586-AW, BK-97-4563-1-PM)

Submitted: November 18, 1999

Decided: November 23, 1999

Before WILKINS, HAMILTON, and LUTTIG, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Brett C. Kimberlin, Appellant Pro Se. Tamera Lynn Fine, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Brett C. Kimberlin appeals from the district court's order affirming the bankruptcy court's decision that it lacked jurisdiction to order the Parole Commission to release him from prison. We have reviewed the record and the lower courts' opinions and orders and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Kimberlin v. United States, Nos. CA-98-3586-AW; BK-97-4563-1-PM (D. Md. Apr. 5, 1999).^{*} 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.

AFFIRMED

^{*} Although the district court's final order is marked as "filed" on April 2, 1999, the district court's records show that the order was entered on the docket sheet on April 5, 1999. Pursuant to Fed. R. Civ. P. 58 and 79(a), we consider the date the order was entered as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).