

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6000

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JULIAN CHRISTOPHER FOWLER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Florence. Charles E. Simons, Jr., Senior District Judge. (CR-94-365, CA-97-823-4-21BE)

Submitted: August 17, 1999

Decided: September 27, 1999

Before ERVIN* and WILKINS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Julian Christopher Fowler, Appellant Pro Se. Alfred William Walker Bethea, Assistant United States Attorney, Florence, South Carolina, for Appellee.

* Judge Ervin participated in consideration of this case but died prior to the time the decision was filed. The decision is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Julian Fowler seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 1999). 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. See United States v. Fowler, Nos. CR-94-365; CA-97-823-4-21BE (D.S.C. Dec. 9, 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