

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6107**

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LEE ALLEN KETCHUM,

Petitioner - Appellant,

versus

ATTORNEY GENERAL OF NORTH CAROLINA; ERNEST R.  
SUTTON, Superintendent; MICHAEL F. EASLEY,

Respondents - Appellees.

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Appeal from the United States District Court for the Middle Dis-  
trict of North Carolina, at Durham. James A. Beaty, Jr., District  
Judge. (CA-98-348-1)

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Submitted: March 25, 1999

Decided: March 31, 1999

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Before WILKINS and MOTZ, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Lee Allen Ketchum, Appellant Pro Se. Clarence Joe DelForge, III,  
OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Lee Allen Ketchum appeals the district court's order granting Respondents' motion for summary judgment and dismissing 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 a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Ketchum v. Attorney General of North Carolina, No. CA-98-348-1 (M.D.N.C. Dec. 16, 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