

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6112**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM H. DONNELLY,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CR-94-235-PJM, CA-97-3075-PJM)

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Submitted: July 30, 1999

Decided: September 21, 1999

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Before WILKINS, NIEMEYER, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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William H. Donnelly, Appellant Pro Se. Lynne Ann Battaglia, United States Attorney, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant 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 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. Donnelly, Nos. CR-94-235-PJM; CA-97-3075-PJM (D. Md. Nov. 23, 1998).<sup>\*</sup> 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

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<sup>\*</sup> Although the district court's order is marked as "filed" on November 20, 1998, the district court's records show that it was entered on the docket sheet on November 23, 1998. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was physically entered on the docket sheet that we take as the effective date of the district court's decision. Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).