

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6147**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROHAN LLOYD DAVY,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, Chief District Judge. (CR-97-3, CA-98-958-5-BO)

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Submitted: May 13, 1999

Decided: May 18, 1999

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

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Dismissed by unpublished per curiam opinion.

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Rohan Lloyd Davy, Appellant Pro Se. Robert Edward Skiver, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Rohan Davy seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (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. United States v. Davy, No. CA-98-958-5-BO (E.D.N.C. Jan. 7, 1999).<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 January 6, 1999, the district court's records show that it was entered on the docket sheet on January 7, 1999. It is the date the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Fed. R. Civ. P. 58 and 79(a); Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).