

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6150**

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JOHN DOUGLAS SMITH,

Petitioner - Appellant,

versus

JOHN R. CULLEN, Judge,

Respondent - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Samuel G. Wilson, Chief District Judge. (CA-99-54-7)

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Submitted: May 25, 1999

Decided: June 2, 1999

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Before ERVIN, WILKINS, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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John Douglas Smith, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John Douglas Smith seeks to appeal the district court's order denying relief on 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 and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Smith v. Cullen, No. CA-99-54-7 (W.D. Va. Jan. 26, 1999). Smith's motion to expedite is now moot and is dismissed for that reason. 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