

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6309**

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RICHARD JOHNSON, JR.,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director, Department of  
Corrections,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Richmond. David G. Lowe, Magistrate Judge.  
(CA-98-756-3)

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Submitted: June 17, 1999

Decided: June 24, 1999

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Before MURNAGHAN and TRAXLER, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Richard Johnson, Jr., Appellant Pro Se. Richard Bain Smith, Assis-  
tant Attorney General, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Richard Johnson, Jr., seeks to appeal the magistrate judge's\* order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1999). We have reviewed the record and the magistrate judge's opinion and find no reversible error. Accordingly, we deny Johnson's motion for a certificate of appealability and dismiss the appeal on the reasoning of the magistrate judge. See Johnson v. Angelone, No. CA-98-756-3 (E.D. Va. Feb. 16, 1999). 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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\* The parties consented to the jurisdiction of a magistrate judge under 28 U.S.C. § 636(c) (1994).