

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6364**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JACOB E. JOHNSON,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Deborah K. Chasanow, District Judge. (CR-94-248-DKC, CA-98-1100-DKC)

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Submitted: August 24, 1999

Decided: September 30, 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Dismissed by unpublished per curiam opinion.

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Jacob E. Johnson, Appellant Pro Se. Mythili Raman, OFFICE OF THE UNITED STATES ATTORNEY, Greenbelt, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jacob E. Johnson 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. Johnson, Nos. CR-94-248-DKC; CA-98-1100-DKC (D. Md. Jan. 25 & Mar. 15, 1999). We note that the district court did not err in declining to conduct a hearing because the record conclusively establishes that Johnson is not entitled to relief. See Fontaine v. United States, 411 U.S. 213, 215 (1973). 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