

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 99-6396**

---

CATHY ANN MILLS BARNES,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL; CAROL CALDWELL,

Respondents - Appellees.

---

Appeal from the United States District Court for the Middle District of North Carolina, at Durham. James A. Beaty, Jr., District Judge. (CA-98-374-1)

---

Submitted: August 5, 1999

Decided: August 11, 1999

---

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

---

Dismissed by unpublished per curiam opinion.

---

John David Bryson, WYATT, EARLY, HARRIS, WHEELER & HAUSER, High Point, North Carolina, for Appellant. Clarence Joe DelForge, III, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Cathy Ann Mills Barnes appeals the district court's order denying relief on her petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1999). We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Barnes v. North Carolina Attorney General, No. CA-98-374-1 (M.D.N.C. Feb. 18, 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