

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6439

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FRANKLYN EARL BANNERMAN,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. J. Calvitt Clarke, Jr., Senior District Judge. (CR-90-105-N, CA-97-287-2)

Submitted: August 10, 1999

Decided: August 31, 1999

Before ERVIN and WILKINS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

James J. Vergara, Jr., VERGARA & ASSOCIATES, Hopewell, Virginia; Cheryl Johns Sturm, Westtown, Pennsylvania, for Appellant. Laura Marie Everhart, Assistant United States Attorney, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Franklyn Earl Bannerman seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West 1994 & 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. Bannerman, No. CR-90-105-N; CA-97-287-2 (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