

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6475

SHADRECK ABDUL BASHSHAR KITAYATUTHELEZI, a/k/a
Norman Hayes,

Petitioner - Appellant,

versus

MICHAEL W. MOORE, Director of the South Carolina Department of Corrections; LAURIE F. BESSINGER, Warden of the Kirkland Correctional Institution; CHARLES M. CONDON, Attorney General of the State of South Carolina,

Respondents - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Florence. C. Weston Houck, Chief District Judge. (CA-98-1370-4-12)

Submitted: May 25, 1999

Decided: May 28, 1999

Before ERVIN, WILKINS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Shadreck Abdul Bashshar Kitayatuthelezi, Appellant Pro Se. Robert Eric Petersen, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, Columbia, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Shadreck Abdul Bashshar Kitayatuthelezi seeks to appeal a district court's order granting Respondents' motion for summary judgment and dismissing Kitayatuthelezi's 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 Kitayatuthelezi v. Moore, No. CA-98-1370-4-12 (D.S.C. Mar. 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