

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6712

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TRACY WALKER,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Wilmington. James C. Fox, District Judge. (CR-93-31)

Submitted: October 29, 1999

Decided: November 9, 1999

Before WILKINS, LUTTIG, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Tracy Walker, Appellant Pro Se. Anne Margaret Hayes, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Tracy Walker appeals from the district court's orders denying his motion in which he challenged the Bureau of Prisons' withholding of 50% of his prison earnings toward satisfaction of his fine. Construing the motion as one filed pursuant to 28 U.S.C. § 2241(1994), we deny the government's motion to dismiss the appeal as untimely. Nevertheless, our review of the record discloses no reversible error and no abuse of discretion. Accordingly, we affirm the denial of relief on the reasoning of the district court. See United States v. Walker, No. CR-93-31 (E.D.N.C. April 21, 1999; May 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.

AFFIRMED

* Although the district court's order is marked as "filed" on May 13, 1999, the district court's records show that it was entered on the docket sheet on May 18, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the judgment or order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).