

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6713

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DAVID CHARLES SULLIVAN,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Henry C. Morgan, Jr., District Judge. (CR-97-19, CA-98-687-2)

Submitted: January 11, 2000

Decided: February 4, 2000

Before MURNAGHAN, WILLIAMS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

David Charles Sullivan, Appellant Pro Se. Kevin Michael Comstock, OFFICE OF THE UNITED STATES ATTORNEY, Norfolk, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

David Sullivan 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. Sullivan, Nos. CR-97-19; CA-98-687-2 (E.D. Va. May 12, 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

* Although the district court's order is marked as "filed" on May 11, 1999, the district court's records show that it was entered on the docket sheet on May 12, 1999. It is the date the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Fed. R. Civ. P. 58 and 79(a); Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).