

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6742**

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DONALD D. PHAU,

Petitioner - Appellant,

versus

RONALD ANGELONE, Director; VIRGINIA DEPARTMENT  
OF CORRECTIONS,

Respondents - Appellees.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Richmond. James R. Spencer, District Judge.  
(CA-97-929-3)

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Submitted: October 8, 1999

Decided: November 3, 1999

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Before WIDENER and NIEMEYER, Circuit Judges, and BUTZNER, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Nina Jean Ginsberg, DIMURO, GINSBERG & LIEBERMAN, P.C., Alexandria,  
Virginia, for Appellant. Michael Thomas Judge, OFFICE OF THE AT-  
TORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Donald D. Phau seeks to appeal the district court's judgment denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1999). We have reviewed the record and the district court's memorandum and order and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Phau v. Angelone, No. CA-97-929-3 (E.D. Va. May 5, 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