

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6752

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

WILLIAM KENNETH WHEEDLETON,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Orangeburg. Charles E. Simons, Jr., Senior District Judge. (CR-89-347, CA-98-3398-5-6)

Submitted: August 19, 1999

Decided: August 26, 1999

Before WIDENER and KING, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

William Kenneth Wheedleton, Appellant Pro Se. Beth Drake, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

William Kenneth Wheedleton seeks to appeal the district court's order denying his motion filed under 18 U.S.C.A. § 3582 (West 1985 & Supp. 1999) and construed as a 28 U.S.C.A. § 2255 (West Supp. 1999) motion. 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. Wheedleton, Nos. CR-89-347; CA-98-3398-5-6 (D.S.C. May 20, 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