

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-7300**

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TORRENCE T. SWAIN,

Petitioner - Appellant,

versus

RONALD ANGELONE, Director, Virginia Department  
of Corrections,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern Dis-  
trict of Virginia, at Alexandria. Albert V. Bryan, Jr., Senior  
District Judge. (CA-99-659-AM)

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Submitted: January 20, 2000

Decided: January 28, 2000

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Before WILLIAMS, MICHAEL, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Torrence T. Swain, Appellant Pro Se. Marla Graff Decker, Assistant  
Attorney General, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Torrence T. Swain seeks to appeal the district court's order 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 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 Swain v. Angelone, No. CA-99-659-AM (E.D. Va. Sept. 7, 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

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\* Although the district court's order is marked as "filed" on September 3, 1999, the district court's records show that it was entered on the docket sheet on September 7, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, 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 Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).