

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-7353**

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KELVIN J. MILES,

Petitioner - Appellant,

versus

PATRICIA K. CUSHWA, Parole Chairman; ATTORNEY  
GENERAL OF THE STATE OF MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CA-  
98-4057-S)

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Submitted: December 16, 1999

Decided: December 22, 1999

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Before MURNAGHAN and MOTZ, Circuit Judges, and BUTZNER, Senior Cir-  
cuit Judge.

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Dismissed by unpublished per curiam opinion.

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Kelvin J. Miles, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kelvin J. Miles 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 Miles v. Cushwa, No. CA-98-4057-S (D. Md. Sept. 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

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\* Although the district court's order is marked as "filed" on September 17, 1999, the district court's records show that the order was entered on the docket sheet on September 20, 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).