

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-6295**

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NATHAN WYCHE, JR.,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director of the 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 Norfolk. Rebecca B. Smith, District Judge.  
(CA-99-1402-2)

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Submitted: May 11, 2000

Decided: May 16, 2000

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Before MURNAGHAN, LUTTIG, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Nathan Wyche, Jr., Appellant Pro Se. Robert H. Anderson, III, OF-  
FICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for  
Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Nathan Wyche, Jr., seeks to appeal the district court's order denying as untimely his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1998). We have reviewed the record and the district court's opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Wyche v. Angelone, No. CA-99-1402-2 (E.D. Va. Feb. 15, 2000).<sup>\*</sup> 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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<sup>\*</sup> Although the district court's order is marked as "filed" on February 11, 2000, the district court's records show that it was entered on the docket sheet on February 15, 2000. 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).