

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 00-6891**

---

RICHARD STEARNSMILLER, a/k/a Stearns Richard  
Miller, a/k/a Rick Stearns-Miller, a/k/a  
Richard Stearns-Miller,

Petitioner - Appellant,

versus

PAUL DOUGLAS TAYLOR, Warden of Ridgeland Cor-  
rectional Institution,

Respondent - Appellee.

---

Appeal from the United States District Court for the District of  
South Carolina, at Columbia. Falcon B. Hawkins, Senior District  
Judge. (CA-00-666-3-11BC)

---

Submitted: October 12, 2000

Decided: October 20, 2000

---

Before WILLIAMS and MOTZ, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

---

Dismissed by unpublished per curiam opinion.

---

Richard Stearnsmiller, Petitioner Pro Se.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Richard Stearnsmiller appeals the district court's orders denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2000). We have reviewed the record and the district court's opinions adopting the magistrate judge's recommendation and denying Stearnsmiller's Fed. R. Civ. P. 60(b) motion for reconsideration and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Stearnsmiller v. Taylor, No. CA-00-666-3-11BC (D.S.C. May 23 & July 3, 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

---

<sup>\*</sup> Although the district court's first order is marked as "filed" on May 19, 2000, the district court's records show that it was entered on the docket sheet on May 23, 2000. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was entered on the docket sheet that we take as the effective date of the magistrate judge's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).