

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-6087**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

TODD FEURTADO,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Columbia. Solomon Blatt, Jr., Senior District Judge. (CR-95-669, CA-99-350)

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Submitted: June 21, 2001

Decided: June 28, 2001

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Before WIDENER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Todd Feurtado, Appellant Pro Se. Cameron Glenn Chandler, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Todd Feurtado appeals three district court orders, the first denying relief on his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2000), the second denying his motion for a certificate of appealability, and the third denying his amended motion for a certificate of appealability. We have reviewed the record and the district court's orders and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal substantially on the reasoning of the district court.\* United States v. Feurtado, Nos. CR-95-669; CA-99-350 (D.S.C. Aug. 25, 2000, Dec. 1, 2000 & Jan. 8, 2001). 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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\* We recently held in United States v. Sanders, 247 F.3d 139 (4th Cir. 2001), that the new rule announced in Apprendi v. New Jersey, 530 U.S. 466 (2000), is not retroactively applicable to cases on collateral review. Accordingly, Feurtado's Apprendi claim is not cognizable.