

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-6265

JOHN GRAYSON ATKINSON,

Petitioner - Appellant,

versus

THEODIS BECK; CARLA O'KONEK; MICHAEL EASLEY,

Respondents - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (CA-00-60-5-BR)

Submitted: May 17, 2001

Decided: May 25, 2001

Before WIDENER, NIEMEYER, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

John Grayson Atkinson, Appellant Pro Se. Clarence Joe DelForge, III, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John Grayson Atkinson seeks to appeal the district court's order 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 opinion accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny Atkinson's motion for appointment of counsel, deny a certificate of appealability, and dismiss the appeal on the reasoning of the district court. See Atkinson v. Beck, No. CA-00-60-5-BR (E.D.N.C. Jan. 12, 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