

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7110

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DALE LEWIS GIBSON,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Lacy H. Thornburg, District Judge. (CR-98-249-4, CA-01-77-1)

Submitted: November 8, 2001

Decided: November 16, 2001

Before WILKINS, MICHAEL, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Dale Lewis Gibson, Appellant Pro Se. Jerry Wayne Miller, United States Attorney, Asheville, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Dale Lewis Gibson seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2001). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny Gibson's motion to hold this appeal in abeyance pending the district court's action on his motion for a certificate of appealability, deny a certificate of appealability, and dismiss the appeal on the reasoning of the district court. See United States v. Gibson, Nos. CR-98-249-4; CA-01-77-1 (W.D.N.C. May 15, 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