

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-7338

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

PORSHIA MCCULLAR,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Rock Hill. Dennis W. Shedd, District Judge. (CA-01-126-0-19)

Submitted: December 20, 2001

Decided: January 2, 2002

Before LUTTIG, TRAXLER, and GREGORY, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Porshia McCullar, Appellant Pro Se. Marshall Prince, OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Porshia McCullar appeals the district court's order dismissing her motion filed under 28 U.S.C.A. § 2255 (West Supp. 2001) as time-barred under the Antiterrorism and Effective Death Penalty Act (AEDPA). We have reviewed the record and the district court's opinion and find no reversible error. See Hernandez v. Caldwell, 225 F.3d 435 (4th Cir. 2000). Further, we conclude McCullar is not entitled to equitable tolling of the AEDPA's one-year limitations period. See Harris v. Hutchinson, 209 F.3d 325 (4th Cir. 2000). Accordingly, we deny a certificate of appealability and dismiss the appeal. 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