

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-7439**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOB HYPOLITE,

Defendant - Appellant.

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Appeal from the United States District Court for the District of South Carolina, at Florence. Cameron McGowan Currie, District Judge. (CR-98-159, CA-00-3495-4-22)

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Submitted: January 17, 2002

Decided: January 28, 2002

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Before WILKINS and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Job Hypolite, Appellant Pro Se. Alfred William Walker Bethea, Assistant United States Attorney, Florence, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Job Hypolite 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 a certificate of appealability and dismiss the appeal substantially on the reasoning of the district court.\* United States v. Hypolite, Nos. CR-98-159; CA-00-3495-4-22 (D.S.C. Aug. 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

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\* While we have not determined precisely when the limitations period begins and ends for claims based on Apprendi v. New Jersey, 530 U.S. 466 (2000), we have determined that Apprendi claims may not be raised initially on collateral review. See United States v. Sanders, 247 F.3d 139, 144, 151 (4th Cir. 2001).