

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7957

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

VICTOR UNDERWOOD,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. William M. Nickerson, Senior District Judge. (CR-96-458-WMN; CA-03-101-WMN)

Submitted: March 25, 2004

Decided: April 1, 2004

Before TRAXLER, KING, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Victor Underwood, Appellant Pro Se. Jamie M. Bennett, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Victor Underwood appeals the district court's order denying relief on his motion filed under 28 U.S.C. § 2255 (2000). We have reviewed the record and find no reversible error.* Accordingly, we affirm on the reasoning of the district court. See United States v. Underwood, Nos. CR-96-458-WMN; CA-03-101-WMN (D. Md. Dec. 4, 2003). 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.

AFFIRMED

*We note that Underwood's claim pursuant to Apprendi v. New Jersey, 530 U.S. 466 (2000), is not cognizable on collateral review. United States v. Sanders, 247 F.3d 139 (4th Cir. 2001).