

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-6697

GARY JAY BEATTIE,

Petitioner - Appellant,

versus

CHARLES E. THOMPSON, Warden, at S.C.C.,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Chief District Judge. (CA-95-41-AM)

Submitted: January 23, 1996

Decided: May 29, 1996

Before WILKINSON, Chief Judge, WILKINS, Circuit Judge, and PHILLIPS, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Gary Jay Beattie, Appellant Pro Se. Linwood Theodore Wells, Jr., Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant seeks to appeal the district court's order denying relief on his 28 U.S.C. § 2254 (1988) petition. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of probable cause to appeal and dismiss the appeal on the reasoning of the district court. Beattie v. Thompson, No. CA-95-41-AM (E.D. Va. Apr. 19, 1995). Because the case presents no exceptional circumstances, we deny Appellant's motions for appointment of counsel. 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