

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-7067

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

GEORGE ROE MATTHEWS,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Joseph F. Anderson, Jr., District Judge. (CR-91-382, CA-95-432-3-17)

Submitted: January 23, 1996

Decided: May 21, 1996

Before WILKINSON, Chief Judge, and HALL and WILLIAMS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

George Roe Matthews, Appellant Pro Se. Mary Gordon Baker, Assistant United States Attorney, Charleston, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the district court's order denying his 28 U.S.C. § 2255 (1988) motion. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. United States v. Matthews, Nos. CR-91-382; CA-95-432-3-17 (D.S.C. June 14, 1995). In addition, we find sufficient evidence supports Matthews' 18 U.S.C. § 924(c) conviction under the "carry" prong and that, therefore, Bailey v. United States, ___ U.S. ___, 64 U.S.L.W. 4039 (U.S. Dec. 6, 1995) (No. 94-7448), does not invalidate the conviction. 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