

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 95-7993**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LONNIE GLEN SCHMIDT,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert D. Potter, Senior District Judge. (CR-89-114-C, CA-95-338-3-P)

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Submitted: April 15, 1996

Decided: May 2, 1996

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Before ERVIN and MOTZ, Circuit Judges, and CHAPMAN, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Lonnie Glen Schmidt, Appellant Pro Se. Jerry Wayne Miller, OFFICE OF THE UNITED STATES ATTORNEY, Asheville, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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. Schmidt, Nos. CR-89-114-C; CA-95-338-3-P (W.D.N.C. Nov. 6, 1995). 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