

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-6410

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JAMES RICHARD HYDEN,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. Cynthia D. Kinser, Magistrate Judge. (CR-90-39-B, CA-94-597-R)

Submitted: July 23, 1996

Decided: August 5, 1996

Before WIDENER, NIEMEYER, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James Richard Hyden, Appellant Pro Se. Julie C. Dudley, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the magistrate judge's order denying his motion for relief under 28 U.S.C. § 2255 (1988), as amended by Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1217.* We have reviewed the record and the magistrate judge's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. United States v. Hyden, Nos. CR-90-39-B; CA-94-597-R (W.D. Va. Feb. 26, 1996). 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

* The parties consented to the magistrate judge's jurisdiction under 28 U.S.C.A. § 636(c) (West 1993).