

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-6736**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DALE JAMES DEPASQUALE,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Alexander Harvey II, Senior District Judge. (CR-92-123-H, CA-96-208-H)

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Submitted: October 31, 1996

Decided: December 17, 1996

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Before NIEMEYER, HAMILTON, and MICHAEL, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Dale James Depasquale, Appellant Pro Se. Andrew Clayton White, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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 his motion filed under 28 U.S.C. § 2255 (1994), amended by Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, 110 Stat. 1214. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. United States v. Depasquale, Nos. CR-92-123-H; CA-96-208-H (D. Md. Apr. 18, 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.

DISMISSED