

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-6937**

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KEVIN FIDEL ROBINSON,

Petitioner - Appellant,

versus

SAMUEL V. PRUETT, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Robert E. Payne, District Judge. (CA-95-168)

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Submitted: March 13, 1997

Decided: March 18, 1997

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Before HALL, ERVIN, and WILKINS, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Kevin Fidel Robinson, Appellant Pro Se. Thomas Cauthorne Daniel, Assistant Attorney General, Richmond, Virginia, 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Unpublished opinions are not binding precedent in this circuit.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 relief on his petition filed under 28 U.S.C. § 2254 (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 accepting the recommendation of the magistrate judge and find no reversible error. Accordingly, we deny Appellant's motion for default judgment, deny a certificate of appealability, and dismiss the appeal on the reasoning of the district court. Robinson v. Pruett, No. CA-95-168 (E.D. Va. June 6, 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