

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-7347**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DONNA ROXBERG,

Defendant - Appellant.

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Appeal from the United States District Court for the Southern District of West Virginia, at Huntington. Robert J. Staker, Senior District Judge. (CR-93-236, CA-96-225-3)

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Submitted: October 7, 1997

Decided: November 7, 1997

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

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Affirmed by unpublished per curiam opinion.

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Donna Roxberg, Appellant Pro Se. Sharon Mullen Frazier, OFFICE OF THE UNITED STATES ATTORNEY, Huntington, West Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals the district court's order denying her motion filed under 28 U.S.C. § 2255 (1994) (current version at 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997)). 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 affirm on the reasoning of the district court. United States v. Roxberg, Nos. CR-93-236; CA-96-225-3 (S.D.W. Va. Aug. 13, 1996). See Lindh v. Murphy, 521 U.S. \_\_\_, 65 U.S.L.W. 4557 (U.S. June 23, 1997) (No. 96-6298). 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