

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-7730

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MICHAEL SCOTT HOWERY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, District Judge. (CR-92-116-A, CA-96-1104-AM)

Submitted: July 10, 1997

Decided: July 22, 1997

Before RUSSELL, HALL, and MURNAGHAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael Scott Howery, Appellant Pro Se. Michael Edward Rich, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Michael Scott Howery seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997). 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. Howery, Nos. CR-92-116-A; CA-96-1104-AM (E.D. Va. Sept. 16, 1996). Howery's motion for bail pending appeal is denied. 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