

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-6245**

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WILBUR BRUCE ALLEN,

Petitioner - Appellant,

versus

JOHN TAYLOR, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. David G. Lowe, Magistrate Judge. (CA-96-435-3)

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Submitted: May 15, 1997

Decided: May 29, 1997

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Before RUSSELL, HALL, and HAMILTON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Wilbur Bruce Allen, Appellant Pro Se. Marla Graff Decker, 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Unpublished opinions are not binding precedent in this circuit.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 magistrate judge's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1997).<sup>\*</sup> We have reviewed the record and the magistrate judge's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the magistrate judge. Allen v. Taylor, No. CA-96-435-3 (E.D. Va. Jan. 10, 1997). 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

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<sup>\*</sup> The parties consented to the jurisdiction of the magistrate judge pursuant to 28 U.S.C. § 636(c) (West 1994 & Supp. 1997).