

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-6357**

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BILLY MOSS,

Petitioner - Appellant,

versus

EUGENE NUTH, Warden; ATTORNEY GENERAL OF THE  
STATE OF MARYLAND,

Respondents - Appellees.

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Appeal from the United States District Court for the District of  
Maryland, at Baltimore. Deborah K. Chasanow, District Judge. (CA-  
95-225-DKC)

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Submitted: July 10, 1997

Decided: July 23, 1997

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Before RUSSELL, HALL, and MURNAGHAN, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Billy Moss, Appellant Pro Se. Celia Anderson Davis, OFFICE OF THE  
ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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) (current version at 28 U.S.C.A. § 2254 (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 deny Appellant's motion for a certificate of probable cause to appeal and dismiss the appeal on the reasoning of the district court. Moss v. Nuth, No. CA-95-225-DKC (D. Md. Feb. 11, 1997). See Lindh v. Murphy, 521 U.S. \_\_\_, 1997 WL 338568 (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.

DISMISSED