

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 97-6935**

---

HENDERSON MCLEE,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director of the Virginia  
Department of Corrections,

Respondent - Appellee.

---

Appeal from the United States District Court for the Eastern  
District of Virginia, at Norfolk. J. Calvitt Clarke, Jr., Senior  
District Judge. (CA-96-1152-2)

---

Submitted: March 12, 1998

Decided: March 23, 1998

---

Before LUTTIG, WILLIAMS, and MICHAEL, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

William P. Robinson, Jr., Norfolk, Virginia, for Appellant. Wirt  
Peebles Marks, IV, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA,  
Richmond, Virginia, for Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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.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 a certificate of appealability and dismiss the appeal on the reasoning of the district court. McLee v. Angelone, No. CA-96-1152-2 (E.D. Va. June 11, 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