

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6990

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KENNETH DUANE BYNUM, a/k/a Christopher O'Reed
Pittman, a/k/a Mark Renard Bynum,

Defendant - Appellant.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. William M. Nickerson, District Judge.
(CR-90-191, CA-96-3814-WMN)

Submitted: September 15, 1998

Decided: October 19, 1998

Before MURNAGHAN and NIEMEYER, Circuit Judges, and PHILLIPS, Senior
Circuit Judge.

Dismissed by unpublished per curiam opinion.

Kenneth Duane Bynum, Appellant Pro Se. Jamie M. Bennett, Assistant
United States Attorney, Baltimore, Maryland, 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Unpublished opinions are not binding precedent in this circuit.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 his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1998), and denying Appellant's motion for reconsideration. 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. Bynum, Nos. CR-90-191, CA-96-3814-WMN (D. Md. May 14, 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

* Upon our review of the record, we discovered that Appellant's Judgment and Commitment Order erroneously reflects that he was convicted of "possession" of a firearm, in violation of 18 U.S.C.A. § 924(c)(1) (West Supp. 1998). Because Appellant pled guilty to "using and carrying" a firearm during a drug trafficking offense, as provided in § 924(c)(1), either party may move the district court, under Fed. R. Crim. P. 36, to correct this typographical error.