

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 97-7392**

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ALBERNIE STUDWELL,

Petitioner - Appellant,

versus

WARDEN of the St. Brides Correctional Center,

Respondent - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Albert V. Bryan, Jr., Senior District Judge. (CA-97-687-AM)

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Submitted: December 18, 1997

Decided: January 7, 1998

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Before WILKINS, NIEMEYER, and HAMILTON, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Albernie Studwell, Appellant Pro Se. John Kenneth Byrum, Jr., OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, 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Unpublished opinions are not binding precedent in this circuit.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 appeals 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 and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. Studwell v. Warden, No. CA-97-687-AM (E.D. Va. Sept. 3, 1997). We further deny Studwell's motion to subpoena medical records and motion for extension of time to respond in district court as moot. 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