

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 97-7499**

---

EARL PAUGH,

Petitioner - Appellant,

versus

ROBERT E. WARD, Warden, Evans Correctional  
Center; CHARLES M. CONDON, Attorney General,  
State of South Carolina,

Respondents - Appellees.

---

Appeal from the United States District Court for the District of  
South Carolina, at Florence. C. Weston Houck, Chief District  
Judge. (CA-96-2065-4-12BE)

---

Submitted: February 12, 1998

Decided: March 4, 1998

---

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

---

Dismissed by unpublished per curiam opinion.

---

Earl Paugh, Appellant Pro Se. Donald John Zelenka, Chief Deputy  
Attorney General, Columbia, South Carolina, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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. Paugh v. Ward, No. CA-96-2065-4-12BE (D.S.C. Sept. 30, 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