

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-7695

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

MANNIX DEAN DANIELS,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Robert D. Potter, Senior District Judge. (CR-92-284-P, CA-96-116-3-P)

Submitted: February 12, 1998

Decided: March 4, 1998

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

Dismissed by unpublished per curiam opinion.

Mannix Dean Daniels, Appellant Pro Se. James Michael Sullivan, Assistant United States Attorney, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant appeals the district court's order denying his third motion for reconsideration of the denial of his 28 U.S.C.A. § 2255 (West 1994 & Supp. 1997) motion. We have reviewed the record and the district court's order and find no reversible error. Accordingly, we deny Appellant's motion for a certificate of appealability and dismiss on the reasoning of the district court. United States v. Daniels, Nos. CR-92-284-P; CA-96-116-3-P (W.D.N.C. Sept. 23, 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