

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-7873

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KITTRELL BERNARD DECATOR; CRAIG LAMONT SCOTT,

Defendants - Appellants.

Appeal from the United States District Court for the District of Maryland, at Baltimore. J. Frederick Motz, Chief District Judge. (CR-94-281-K, CR-95-202-K)

Submitted: March 17, 1998

Decided: March 30, 1998

Before WIDENER and HAMILTON, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Kittrell Bernard Decator, Craig Lamont Scott, Appellants Pro Se. James G. Warwick, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kittrell B. Decator and Craig L. Scott appeal from the district court's order denying their motion filed pursuant to Fed. R. Civ. P. 12(b)(1), to dismiss their convictions and sentences for bank robbery, 18 U.S.C.A. § 2113(a) (West Supp. 1997). Appellants contend that the district court did not have subject matter jurisdiction over their charges. Because their claims are frivolous, we affirm the district court's dismissal of their motion. We also deny their motion to place this case in abeyance. 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.

AFFIRMED