

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6154

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FRANK ERNESTO RYCE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Norfolk. Rebecca B. Smith, District Judge; John A. MacKenzie, Senior District Judge. (CR-89-152-N, CA-97-1172-2)

Submitted: August 11, 1998

Decided: August 31, 1998

Before WILKINS and MICHAEL, Circuit Judges, and HALL, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Frank Ernesto Ryce, Appellant Pro Se. Harvey Lee Bryant, III, Assistant United States Attorney, Norfolk, Virginia, 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Unpublished opinions are not binding precedent in this circuit.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). 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. Ryce, Nos. CR-89-152-N; CA-97-1172-2 (E.D. Va. Jan. 12, 1998). 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