

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 98-6245

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THOMAS REID DECARLO,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL; NORTH CARO-  
LINA DEPARTMENT OF CORRECTION; TILLERY CORREC-  
TIONAL INSTITUTION; J. WILLIAMS,

Respondents - Appellees.

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Appeal from the United States District Court for the Middle Dis-  
trict of North Carolina, at Durham. Frank W. Bullock, Jr., Chief  
District Judge. (CA-97-1139-1)

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Submitted: July 22, 1998

Decided: August 6, 1998

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Before ERVIN, MICHAEL, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Thomas Reid DeCarlo, Appellant Pro Se. Clarence Joe DelForge, III,  
OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Thomas Reid DeCarlo seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1998). 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. DeCarlo v. North Carolina Attorney General, No. CA-97-1139-1 (M.D.N.C. Jan. 28, 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