

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6249

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

HENRY LEE HUFF,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Winston-Salem. William L. Osteen, Sr., District Judge. (CR-93-11-6, CA-97-469-6)

Submitted: May 19, 1998

Decided: June 9, 1998

Before ERVIN, HAMILTON, and MOTZ, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Henry Lee Huff, Appellant Pro Se. Paul Alexander Weinman, Assistant United States Attorney, Benjamin H. White, Jr., Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Henry Lee Huff 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 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. United States v. Huff, CR-93-11-6, CA-97-469-6 (M.D.N.C. Dec. 30, 1997). We also decline to address issues raised for the first time on appeal. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993). 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