

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-6980

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JOSEPH MCCOY POWELL,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Elizabeth City. Terrence W. Boyle, Chief District Judge. (CR-93-4-BO, CA-98-28-2-BO)

Submitted: November 10, 1998

Decided: January 15, 1999

Before WIDENER, WILKINS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Joseph McCoy Powell, Appellant Pro Se. Robert Edward Skiver, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Joseph McCoy Powell appeals the district court's order denying his motion for reconsideration of the order denying an extension of time to file a motion pursuant to 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. Powell, Nos. CR-93-4-BO; CA-98-28-2-BO (E.D.N.C. May 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