

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7022

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

FERNANDO M. SMITH,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Alexander Williams, Jr., District Judge. (CR-95-499-AW, CA-97-2089-AW)

Submitted: October 8, 1998

Decided: October 27, 1998

Before WIDENER, NIEMEYER, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Fernando M. Smith, Appellant Pro Se. Andrea L. Smith, 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Unpublished opinions are not binding precedent in this circuit.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:

Fernando M. Smith seeks to appeal the district court's orders denying his motion filed under 28 U.S.C.A. § 2255 (West 1994 & Supp. 1998), his motion for reconsideration, and his motion for an evidentiary hearing. We have reviewed the record and the district court's opinions 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. Smith, Nos. CR-95-499-AW; CA-97-2089-AW (D. Md. Apr. 20, 1998, Nov. 5, 1997, & Oct. 20, 1997). 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