

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 98-7124**

---

JOSEPH P. STICH,

Petitioner - Appellant,

versus

RON ANGELONE, Director, Virginia Department of  
Corrections,

Respondent - Appellee.

---

Appeal from the United States District Court for the Western  
District of Virginia, at Roanoke. James C. Turk, District Judge.  
(CA-96-837-R)

---

Submitted: November 30, 1998

Decided: December 23, 1998

---

Before MURNAGHAN, WILLIAMS, and MOTZ, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

John M. DiJoseph, KAVRUKOV, MEHROTRA & DIJOSEPH, Arlington, Vir-  
ginia, for Appellant. Kathleen B. Martin, OFFICE OF THE ATTORNEY  
GENERAL OF VIRGINIA, Richmond, 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Unpublished opinions are not binding precedent in this circuit.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 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. See Stich v. Angelone, No. CA-96-837-R (W.D. Va., filed June 30, 1998; entered July 1, 1998). See Fed. R. Civ. P. 58, 79(a). 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