

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7392

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

KEVIN A. NICKLES,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T.S. Ellis, III, District Judge. (CR-92-473-A, CA-97-796-AM)

Submitted: November 19, 1998

Decided: December 3, 1998

Before HAMILTON and WILLIAMS, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Kevin A. Nickles, Appellant Pro Se. Robert Clifford Chesnut, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Kevin A. Nickles 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 a certificate of appealability. We dismiss the appeals from the denial of relief on the § 2255 motion and motion for reconsideration for lack of jurisdiction because the notice of appeal was filed beyond the sixty-day appeal period. See Fed. R. App. P. 4(a). As for the denial of the motion for a certificate of appealability, 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. Nickles, Nos. CR-92-473-A; CA-97-796-AM (E.D. Va. Dec. 3, 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