

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 98-7636**

---

JOHN GEORGE SIMKUS, JR.,

Petitioner - Appellant,

versus

FRANK C. SIZER, JR., Warden; J. JOSEPH CURRAN, JR.,

Respondents - Appellees.

---

Appeal from the United States District Court for the District of  
Maryland, at Baltimore. William M. Nickerson, District Judge.  
(CA-98-1417-WMN)

---

Submitted: May 28, 1999

Decided: June 15, 1999

---

Before MOTZ, TRAXLER, and KING, Circuit Judges.

---

Dismissed by unpublished per curiam opinion.

---

John George Simkus, Jr., Appellant Pro Se. John Joseph Curran, Jr.,  
Attorney General, Regina Hollins Lewis, Assistant Attorney General,  
Baltimore, Maryland, for Appellees.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John George Simkus, Jr., seeks to appeal the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1999). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny Simkus' motions for a certificate of appealability and appointment of counsel, and we dismiss the appeal on the reasoning of the district court. See Simkus v. Sizer, No. CA-98-1417-WMN (D. Md. Oct. 9, 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