

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-7707

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

VERNON KENDALL HAYDEN,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Winston-Salem. William L. Osteen, District Judge. (CR-95-212, CA-97-1061)

Submitted: May 25, 1999

Decided: June 1, 1999

Before ERVIN, WILKINS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Vernon Kendall Hayden, Appellant Pro Se. Clifton Thomas Barrett, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Vernon Kendall Hayden seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (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 United States v. Hayden, Nos. CR-95-212; CA-97-1061 (M.D.N.C. Sept. 15, 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