

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6013**

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PAUL ARTHUR LIPICH,

Petitioner - Appellant,

versus

GEORGE M. HINKLE; ATTORNEY GENERAL OF THE  
COMMONWEALTH OF VIRGINIA,

Respondents - Appellees.

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Appeal from the United States District Court for the Western Dis-  
trict of Virginia, at Roanoke. Jackson L. Kiser, Senior District  
Judge. (CA-98-694-R)

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Submitted: April 15, 1999

Decided: April 20, 1999

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Before NIEMEYER and HAMILTON, Circuit Judges, and PHILLIPS, Senior  
Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Paul Arthur Lipich, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Paul Lipich appeals the district court's order denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1998). We agree with the district court's conclusion that Lipich's petition was not timely filed. See 28 U.S.C.A. § 2244(d) (West Supp. 1998); Brown v. Angelone, 150 F.3d 370, 374-76 (4th Cir. 1998). Accordingly, we deny a certificate of appealability and dismiss the appeal. 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