

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

---

**No. 99-6238**

---

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERROL STEVEN EVANS, JR., a/k/a Lindell Robert  
Goulbourne,

Defendant - Appellant.

---

Appeal from the United States District Court for the Middle Dis-  
trict of North Carolina, at Greensboro. William L. Osteen, Dis-  
trict Judge. (CR-96-139, CA-97-1214)

---

Submitted: April 15, 1999

Decided: April 21, 1999

---

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

---

Dismissed by unpublished per curiam opinion.

---

Errol Steven Evans, Jr., Appellant Pro Se. Douglas Cannon, Assis-  
tant United States Attorney, Greensboro, North Carolina, for  
Appellee.

---

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Errol Steven Evans, Jr., 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. Evans, Nos. CR-96-139; CA-97-1214 (M.D.N.C. July 2, 1998 & Jan. 21, 1999).\* 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

---

\* Although the district court's order is marked as "filed" on July 1, 1998, the district court's records show that it was entered on the docket sheet on July 2, 1998. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).