UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6387

CRAIG O. COPLEY,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

No. 99-6388

CRAIG O. COPLEY,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeals from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (CA-90-47-HC)

Submitted: August 5, 1999 Decided: August 11, 1999

Before MURNAGHAN and MOTZ, Circuit Judges, and BUTZNER, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Craig O. Copley, Appellant Pro Se. Eileen Coffey Moore, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Craig O. Copley appeals the district court's order denying his motion for a discharge hearing (No. 99-6388) and his motion to represent himself (No. 99-6387). We have reviewed the record and find no reversible error.

Because only counsel or a legal guardian may file a motion for a discharge hearing on behalf of a committed person, the district court properly denied this motion without prejudice. See 18 U.S.C. § 4247(h) (1994). Further, Copley's motion to represent himself was properly denied, as the statute does not permit him to represent himself in the filing of a motion for discharge. In addition, because Copley may renew his motion at any future discharge hearing, the instant motion was premature.

Therefore, we affirm. 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.

AFFIRMED