

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6462

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROGER TRENTON DAVIS,

Defendant - Appellant.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CR-91-137, CA-97-292-R)

Submitted: June 17, 1999

Decided: June 25, 1999

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

Dismissed by unpublished per curiam opinion.

Roger Trenton Davis, Appellant Pro Se. Joseph William Hooge Mott, Assistant United States Attorney, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

The district court entered an order denying Davis' 28 U.S.C.A. § 2255 (West Supp. 1999) motion on March 17, 1998. On March 11, 1999, Davis moved for relief pursuant to Fed. R. Civ. P. 60(b) and to file a late notice of appeal. The district court denied both motions. Davis timely appealed. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal based upon the reasoning of the district court. See United States v. Davis, No. CA-97-292-R (W.D. Va. Mar. 19, 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