

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6472**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LINWOOD BERNARD AUSTIN,

Defendant - Appellant.

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Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Frank W. Bullock, Jr., Chief District Judge. (CR-95-249, CA-98-241-1)

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Submitted: August 5, 1999

Decided: August 11, 1999

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

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Dismissed by unpublished per curiam opinion.

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Linwood Bernard Austin, Appellant Pro Se. Benjamin H. White, Jr., Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Linwood Bernard Austin seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 1999). 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 Austin's motions for a certificate of appealability and preparation of a transcript at government expense and dismiss the appeal on the reasoning of the district court. See United States v. Austin, Nos. CR-95-249; CA-98-241-1 (M.D.N.C. Feb. 11, 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