

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-6579**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ERNEST LEON MYERS, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the Western District of North Carolina, at Asheville. William L. Osteen, District Judge, sitting by designation. (CR-92-96, CA-97-350)

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Submitted: July 20, 1999

Decided: August 12, 1999

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Before HAMILTON and MICHAEL, Circuit Judges, and BUTZNER, Senior Circuit Judge.

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Dismissed by unpublished per curiam opinion.

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Ernest Leon Myers, Jr., Appellant Pro Se. Jerry Wayne Miller, OFFICE OF THE UNITED STATES ATTORNEY, Charlotte, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant 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 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. Myers, Nos. CR-92-96; CA-97-350 (W.D.N.C. Mar. 18, 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