

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6812

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DOMINGO LONZO MCKNIGHT,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (CR-93-466-A, CA-99-528-AM)

Submitted: September 9, 1999

Decided: September 15, 1999

Before ERVIN, WILKINS, and HAMILTON, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Domingo Lonzo McKnight, Appellant Pro Se. Cathleen Ann Tutty, Special Assistant United States Attorney, Gerald J. Smagala, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Domingo Lonzo McKnight 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. Further, we find that the district court did not err in construing McKnight's filing as a § 2255 motion. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See United States v. McKnight, Nos. CR-93-466-A; CA-99-528-AM (E.D. Va. Apr. 23, 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