

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6911

ANTONIO MOSLEY,

Petitioner - Appellant,

versus

NORTH CAROLINA ATTORNEY GENERAL; J. J. CLARK,
Superintendent, Southern Correctional Institu-
tion,

Respondents - Appellees.

Appeal from the United States District Court for the District of
North Carolina, at Durham. James A. Beaty, Jr., District Judge.
(CA-99-63-1)

Submitted: January 13, 2000

Decided: January 19, 2000

Before WIDENER, WILKINS, and LUTTIG, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Antonio Mosley, Appellant Pro Se. Clarence Joe DelForge, III,
OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North
Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Antonio Mosley seeks to appeal the district court's order dismissing as untimely his motion filed under 28 U.S.C.A. § 2254 (West 1994 & 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 a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Mosley v. Attorney Gen., No. CA-99-63-1 (M.D.N.C. June 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