

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7202

DEREK MARQUIS FLEMING,

Petitioner - Appellant,

versus

KEITH E. OLSON, Warden, FCI Beckley,

Respondent - Appellee.

Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. David A. Faber, District Judge. (CA-97-660)

Submitted: May 31, 2000

Decided: June 15, 2000

Before LUTTIG, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Derek Marquis Fleming, Appellant Pro Se. Michael Lee Keller, OFFICE OF THE UNITED STATES ATTORNEY, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Derek Marquis Fleming appeals the district court's orders denying relief on his petition filed under 28 U.S.C. § 2241 (1994), and the court's orders denying his motions filed under Fed. R. Civ. P. 59(e). We have reviewed the record and the district court's opinions accepting the recommendations of the magistrate judge and find no reversible error in the court's denial of § 2241 relief. See United States v. Lurie, 207 F.3d 1075, 1076 (8th Cir. 2000) (stating that appellate court reviews denial of § 2241 petition de novo). Nor do we find any abuse of discretion in the district court's denial of Fleming's Rule 59(e) motions. See Pacific Ins. Co. v. American Nat'l Fire Ins. Co., 148 F.3d 396, 402 (4th Cir. 1998) (stating standard of review), cert. denied, 525 U.S. 1104 (1999). Accordingly, we affirm on the reasoning of the district court. See Fleming v. Olson, No. CA-97-660 (S.D.W. Va. Nov. 24, 1997; Dec. 22, 1997; June 8, 1998; Oct. 14, 1998; July 7, 1999; July 27, 1999). We deny Fleming's motions for a limited remand and 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.

AFFIRMED