

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7343

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

RODNEY LEE BLACKWELL,

Defendant - Appellant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. William L. Osteen, District Judge. (CR-94-115, CA-98-978-1)

Submitted: February 29, 2000

Decided: March 17, 2000

Before WILKINS, WILLIAMS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Rodney Lee Blackwell, Appellant Pro Se. Robert Michael Hamilton, OFFICE OF THE UNITED STATES ATTORNEY, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Rodney Lee Blackwell seeks to appeal the district court's orders denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 1999)* and reconsideration of that order. We have reviewed the record, the district court's opinion accepting the recommendation of the magistrate judge, and the district court's orders 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. Blackwell, Nos. CR-94-115; CA-98-978-1 (M.D.N.C. Aug. 23 & Sept. 17, 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

* Although Blackwell styled his motion as one seeking relief pursuant to 28 U.S.C. § 2241 (1994), the magistrate judge and the district court properly construed it as arising under § 2255.