

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-7488**

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DANNY LEE SULLIVAN,

Petitioner - Appellant,

versus

PHOEBE JOHNSON, Warden,

Respondent - Appellee.

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Appeal from the United States District Court for the District of South Carolina, at Charleston. Margaret B. Seymour, District Judge. (CA-98-3367-2-24AJ)

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Submitted: May 11, 2000

Decided: May 16, 2000

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Before MURNAGHAN, LUTTIG, and TRAXLER, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Danny Lee Sullivan, Appellant Pro Se. Donald John Zelenka, Chief Deputy Attorney General, William Edgar Salter, III, OFFICE OF THE ATTORNEY GENERAL OF SOUTH CAROLINA, Columbia, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Danny Lee Sullivan seeks to appeal the district court's order denying relief on his petition 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 Sullivan's motion for appointment of counsel and affirm the appeal on the reasoning of the district court. See Sullivan v. Johnson, No. CA-98-3367-2-24AJ (D.S.C. Sept. 28, 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.

AFFIRMED