

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-7654

DUKE E. WOODLEY,

Petitioner - Appellant,

versus

DEPARTMENT OF CORRECTIONS,

Respondent - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. David G. Lowe, Magistrate Judge. (CA-99-156-3)

Submitted: November 30, 2000

Decided: December 7, 2000

Before NIEMEYER, LUTTIG, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Duke E. Woodley, Appellant Pro Se. William W. Muse, Assistant Attorney General, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Duke E. Woodley appeals the magistrate judge's order¹ denying relief on his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 2000). We have reviewed the record and the magistrate judge's opinion and find no reversible error.² Accordingly, we deny Woodley's motion for appointment of counsel, deny a certificate of appealability, and dismiss the appeal on the reasoning of the magistrate judge. Woodley v. Department of Corrections, No. CA-99-156-3 (E.D. Va. Nov. 17, 1999); see Warren v. Baskerville, ___ F.3d ___, 2000 WL 1692658 (4th Cir. Nov. 13, 2000). 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

¹ This case was decided by a magistrate judge exercising jurisdiction upon consent of the parties under 28 U.S.C.A. § 636(c)(1) (West 1993 & Supp. 2000).

² Although the district court relied upon Green v. French, 143 F.3d 865 (4th Cir. 1998), cert. denied, 525 U.S. 1090 (1999) in its denial of Woodley's § 2254 petition, the denial of relief nevertheless was correct under the standards announced in Williams v. Taylor, 529 U.S. 362 (2000).