

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 99-7727**

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MARK K. HYLTON,

Petitioner - Appellant,

versus

RONALD J. ANGELONE, Director of Virginia Cor-  
rections; ATTORNEY GENERAL OF THE COMMONWEALTH  
OF VIRGINIA,

Respondents - Appellees.

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Appeal from the United States District Court for the Western Dis-  
trict of Virginia, at Roanoke. James C. Turk, District Judge.  
(CA-98-329-7)

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Submitted: February 24, 2000

Decided: March 3, 2000

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Before MOTZ and KING, Circuit Judges, and BUTZNER, Senior Circuit  
Judge.

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Dismissed by unpublished per curiam opinion.

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Mark K. Hylton, Appellant Pro Se. Kathleen B. Martin, OFFICE OF THE  
ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Mark Keith Hylton seeks to appeal from the district court's order denying his motion for reconsideration of the denial of his petition filed under 28 U.S.C.A. § 2254 (West 1994 & Supp. 1999). With his motion for reconsideration, Hylton presented an affidavit, which he contends constitutes new evidence of his innocence. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. See Hylton v. Angelone, No. CA-98-329-7 (W.D. Va. Dec. 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