

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7640**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JAMES EDWARD ELLERBE,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. W. Earl Britt, Senior District Judge. (5:97-cr-00100-BR)

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Submitted: February 21, 2008

Decided: February 27, 2008

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Before MOTZ and GREGORY, Circuit Judges, and WILKINS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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James Edward Ellerbe, Appellant Pro Se. John Samuel Bowler, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

James Edward Ellerbe appeals the district court's order denying his petition for an arrest warrant and his motion to intervene. We have reviewed the record and find no reversible error. Accordingly, we affirm. United States v. Ellerbe, No. 5:97-cr-00100-BR (E.D.N.C. Aug. 31, 2007). 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