

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7670

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARK ALLEN HOWELL,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Greenville. Terrence W. Boyle, District Judge. (4:08-cr-00041-BO-1; 4:11-cv-00185-BO)

Submitted: March 25, 2013

Decided: April 4, 2013

Before GREGORY, DUNCAN, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Paul K. Sun, Jr., ELLIS & WINTERS, LLP, Raleigh, North Carolina, for Appellant. Thomas G. Walker, United States Attorney, Jennifer P. May-Parker, Yvonne V. Watford-McKinney, Assistant United States Attorneys, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Mark Allen Howell appeals the district court's order dismissing his 28 U.S.C.A. § 2255 (West Supp. 2012) motion as untimely. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. See United States v. Howell, No. 4:08-cr-00041-BO-1 (E.D.N.C. Sept. 4, 2012); cf. Lo v. Endicott, 506 F.3d 572, 575 (7th Cir. 2007); E.J.R.E. v. United States, 453 F.3d 1094, 1098 (8th Cir. 2006); Shannon v. Newland, 410 F.3d 1083, 1089 (9th Cir. 2005). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED