

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-7963

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

EMMANUEL S. MCCRAE, a/k/a Ike,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, District Judge. (5:01-cr-00106-BO-1; 5:12-cv-00403-BO)

Submitted: February 26, 2013

Decided: March 1, 2013

Before MOTZ, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Emmanuel S. McCrae, Appellant Pro Se. Thomas Gray Walker, United States Attorney, Jennifer P. May-Parker, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Emmanuel S. McCrae seeks to appeal the district court's order dismissing as untimely his 28 U.S.C.A. § 2255 (West Supp. 2012) motion. The district court's order also granted McCrae a certificate of appealability. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. United States v. McCrae, Nos. 5:01-cr-00106-BO-1; 5:12-cv-00403-BO (E.D.N.C. Oct. 26, 2012). 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