

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee.

v.

No. 00-4098

DEMETRIA LAVERNE HINTON,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of North Carolina, at Raleigh.
James C. Fox, District Judge.
(CR-92-53-F)

Submitted: July 14, 2000

Decided: July 31, 2000

Before LUTTIG, WILLIAMS, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Thomas P. McNamara, Federal Public Defender, G. Alan DuBois,
Assistant Federal Public Defender, Raleigh, North Carolina, for
Appellant. Janice McKenzie Cole, United States Attorney, Anne M.
Hayes, Assistant United States Attorney, Raleigh, North Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Demetria Laverne Hinton appeals the sixty-month prison sentence the district court imposed after revoking her supervised release. Hinton asserts that the sentence was plainly unreasonable because it exceeded the twenty-four to thirty month sentence suggested under U.S. Sentencing Guidelines Manual § 7B1.4(a), p.s. (1998). Hinton also claims that the court failed to consider the factors in 18 U.S.C.A. § 3553(a) (West 1985 & Supp. 2000) before imposing sentence. We affirm.

After a thorough review of the record--including the nature and extent of Hinton's supervised release violations (including her new criminal conduct), the probation officer's motion for revocation, and the arguments presented before the district court--we reject Hinton's arguments and conclude that the district court did not abuse its discretion in sentencing her to a sixty-month term of imprisonment. See United States v. Davis, 53 F.3d 638, 642 (4th Cir. 1995) (providing standard of review). We also find that the district court properly considered the factors set forth in § 3553(a). See id. ("A court need not engage in ritualistic incantation in order to establish its consideration of a legal issue. It is sufficient if . . . the district court rules on issues that have been fully presented for determination. Consideration is implicit in the court's ultimate ruling.").

Accordingly, we affirm Hinton's sentence. 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