

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-4101

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JERRY J. RHODES, a/k/a Teddy Levern Austin,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Columbia. Joseph F. Anderson, Jr., District Judge. (CR-99-27)

Submitted: August 18, 2000

Decided: August 31, 2000

Before MICHAEL, MOTZ, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John H. Hare, Assistant Federal Public Defender, Columbia, South Carolina, for Appellant. J. Rene Josey, United States Attorney, Stacey D. Haynes, Assistant United States Attorney, Columbia, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Following his guilty plea to one count of possession with intent to distribute cocaine base (21 U.S.C.A. § 841(a)(1) (West 1999)), and one count of felon in possession of a firearm (21 U.S.C.A. § 922(g) (West 2000)), Jerry J. Rhodes was sentenced to concurrent sixty-month prison terms. Rhodes appeals, claiming that the district court erred by adding one point to his criminal history score pursuant to U.S. Sentencing Guidelines Manual § 4A1.1(e) (1998). We find no merit to his claim. Consequently, we affirm Rhodes' conviction and 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