

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

DARRELL VON JONES,
Defendant-Appellant.

No. 00-4132

Appeal from the United States District Court
for the District of Maryland, at Greenbelt.
Catherine C. Blake, District Judge.
(CR-99-174)

Submitted: January 31, 2001

Decided: February 14, 2001

Before MICHAEL, TRAXLER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

James Wyda, Federal Public Defender, Beth Farber, Assistant Federal Public Defender, Baltimore, Maryland, for Appellant. Lynne A. Battaglia, United States Attorney, Bryan E. Foreman, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Darrell Von Jones was convicted after a jury trial of being a felon in possession of a firearm and possession with intent to distribute marijuana. He received an enhanced sentence as an armed career criminal under 18 U.S.C. § 924(e). On appeal, he raises two nonmeritorious issues. For the reasons that follow, we affirm.

First, we do not find that the district court abused its discretion by allowing a letter into evidence. *See* Fed. R. Evid. 801(d)(1)(B); *Tome v. United States*, 513 U.S. 150, 157-58 (1995); *United States v. Acker*, 52 F.3d 509, 516-17 (4th Cir. 1995). Second, we do not find that the Supreme Court's recent opinion in *Apprendi v. New Jersey*, 530 U.S. 466 (2000), affects Jones' enhanced sentence for being an armed career criminal. *United States v. Dorris*, ___ F.3d ___, 2000 WL 1869462, at *5 (10th Cir. 2000) (holding that § 924(e) sentence not affected by *Apprendi*).

Accordingly, we affirm Jones' convictions 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