

UNPUBLISHED

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

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

DAVID CORNELIUS VAUSE, a/k/a
Daniel Vause,

Defendant-Appellant.

No. 00-4281

Appeal from the United States District Court
for the District of South Carolina, at Florence.
Cameron McGowan Currie, District Judge.
(CR-99-760)

Submitted: November 7, 2000

Decided: November 21, 2000

Before MOTZ and TRAXLER, Circuit Judges, and
HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

William F. Nettles, IV, Assistant Federal Public Defender, Florence,
South Carolina, for Appellant. J. Rene Josey, United States Attorney,
Rose Mary Davis Parham, Assistant United States Attorney, Florence,
South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Appellant David Vause was convicted pursuant to his guilty plea to one count of conspiracy to distribute and possession with intent to distribute hydromorphone and methadone. On appeal, Vause alleges the district court erred in assessing a two-level enhancement, pursuant to *U.S. Sentencing Guidelines Manual* § 2D1.1(b)(1) (1998), for possession of a firearm. Finding no reversible error, we affirm.

Vause challenges the enhancement of his sentence for possession of a firearm during the course of the drug conspiracy. A police search resulted in discovery of two firearms, a nine millimeter handgun and a shotgun, in Vause's room, where drug transactions undisputedly occurred. The presence of guns in a location where drug transactions occur implicates the enhancement for possession of a dangerous weapon. See *United States v. Harris*, 128 F.3d 850, 852 (4th Cir. 1997); *United States v. Rusher*, 966 F.2d 868, 880 (4th Cir. 1992). The district court's finding that it was not clearly improbable that the firearm was possessed in furtherance of the drug conspiracy was not clearly erroneous.

Finding Vause's claim that the evidence was insufficient to support a sentencing enhancement to be without merit, we affirm the sentence imposed by the district court. 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