

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-4439

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

JAMIE JOHN SALOMON,

Defendant - Appellant.

Appeal from the United States District Court for the Southern District of West Virginia, at Beckley. David A. Faber, District Judge. (CR-99-160)

Submitted: December 29, 2000

Decided: January 18, 2001

Before NIEMEYER, LUTTIG, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Mary Lou Newberger, Acting Federal Public Defender, Edward H. Weis, First Assistant Federal Public Defender, Charleston, West Virginia, for Appellant. Rebecca A. Betts, United States Attorney, John H. Tinney, Jr., Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Jamie John Salomon appeals his conviction and resulting fifty-one month sentence for being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2) (1994). He asserts that the trial court erred in instructing the jury that the Government could prove interstate commerce nexus by establishing beyond a reasonable doubt that the firearm in question had at any time traveled across state lines. We find no error in the court's jury instructions. See United States v. Crump, 120 F.3d 462, 466 (4th Cir. 1997). We therefore affirm Salomon's conviction and sentence. We dispense with oral argument because the facts and legal contentions of the parties are adequately presented in the materials before the Court and argument would not aid the decisional process.

AFFIRMED