

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 00-4576**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CHARLES A. GHOLSON,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Richard L. Williams, Senior District Judge. (CR-99-178)

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Submitted: May 31, 2001

Decided: June 18, 2001

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Before WILKINS, LUTTIG, and WILLIAMS, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Sol Zalel Rosen, Washington, D.C., for Appellant. Helen F. Fahey, United States Attorney, Stephen W. Miller, Assistant United States Attorney, Richmond, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Charles A. Gholson pled guilty to possession with intent to distribute cocaine base (with previous drug distribution conviction). On appeal, he alleges that the district court erred by denying his later motion to withdraw his guilty plea and that he received ineffective assistance of counsel. Gholson appeals from his conviction and 262-month sentence. For the reasons that follow, we affirm.

We do not find that the district court abused its discretion by denying Gholson's motion to withdraw his guilty plea. United States v. Ubakanma, 215 F.3d 421, 424 (4th Cir. 2000). The court applied the correct law, and we find no reversible error. United States v. Moore, 931 F.2d 245, 248 (4th Cir. 1991) (listing factors to be considered). Neither do we find ineffective assistance of counsel "conclusively appears" on the face of the record and thus deny Gholson's attempt to raise this issue on direct appeal. United States v. Richardson, 195 F.3d 192, 198 (4th Cir. 1999), cert. denied, 528 U.S. 1096 (2000).

Accordingly, we affirm. 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