

UNPUBLISHED

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

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

CHARLES DEAN GOODMAN, a/k/a
Deion Goodman, a/k/a Dean
Goodman, a/k/a Devon Goodman,
a/k/a Charles Deion Goodman, a/k/a
Charles Devon Goodman, a/k/a
Drell Deion,
Defendant-Appellant.

No. 00-4678

Appeal from the United States District Court
for the Eastern District of North Carolina, at Wilmington.
W. Earl Britt, Senior District Judge.
(CR-00-55-BR)

Submitted: March 16, 2001

Decided: April 26, 2001

Before WILKINS, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Thomas P. McNamara, Federal Public Defender, G. Alan DuBois,
Assistant Federal Public Defender, Raleigh, North Carolina, for
Appellant. Janice McKenzie Cole, United States Attorney, Anne M.

Hayes, Assistant United States Attorney, J. Gaston B. Williams, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Charles Dean Goodman appeals the district court's imposition of a sixty month sentence for attempted escape to run consecutively to a previously imposed twenty-one month sentence for a supervised release violation. We affirm.

This Court reviews the district court's decision to order consecutive or concurrent sentences for abuse of discretion. *United States v. Puckett*, 61 F.3d 1092, 1097 (4th Cir. 1995) (citing *United States v. Devaney*, 992 F.2d 75, 77 (6th Cir. 1993)). The Sentencing Guidelines provide the sentencing court with the discretion to impose a consecutive sentence to a current or subsequently imposed sentence if the defendant was on federal supervised release at the time of the instant offense and has had it revoked. *See Puckett*, 61 F.3d at 1097-98; *U.S. Sentencing Guidelines Manual* §§ 5G1.3, comment. (n.6), 7B1.3(f) (2000).

We find no abuse of discretion in the district court's imposition of a consecutive rather than concurrent sentence. Accordingly, we affirm Goodman's 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