

UNPUBLISHED  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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*  
v.  
JERRY INDUSTRIOUS,  
*Defendant-Appellant.*

No. 00-4725

Appeal from the United States District Court  
for the Middle District of North Carolina, at Durham.  
N. Carlton Tilley, Jr., Chief District Judge.  
(CR-00-20)

Submitted: October 24, 2001

Decided: November 26, 2001

Before WILKINS, NIEMEYER, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Paul C. Pooley, Durham, North Carolina, for Appellant. Benjamin H. White, Jr., United States Attorney, Sandra J. Hairston, Assistant United States Attorney, Greensboro, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

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**OPINION**

## PER CURIAM:

Jerry Industrious was convicted pursuant to his guilty pleas of one count each of possession of a firearm in furtherance of a drug trafficking offense and possession of a firearm by a convicted felon. On appeal, he alleges that the district court abused its discretion by denying his motions to withdraw his guilty plea. Finding no reversible error, we affirm.

Industrious possesses no absolute right to withdraw his plea of guilty. *United States v. Ewing*, 957 F.2d 115, 118 (4th Cir. 1992). We review the denial of a motion to withdraw a guilty plea for abuse of discretion. *United States v. Lambert*, 994 F.2d 1088, 1093 (4th Cir. 1993). The district court's factual findings in support of its decision to deny the motion will be overturned only if they are clearly erroneous. *United States v. Suter*, 755 F.2d 523, 525 (7th Cir. 1985). In light of the thorough nature of the Fed. R. Crim. P. 11 hearing, *see United States v. Puckett*, 61 F.3d 1092, 1099 (4th Cir. 1995), and the district court's consideration of Industrious' motions, we cannot conclude that the district court abused its discretion in declining to allow Industrious to withdraw his plea. *United States v. Moore*, 931 F.2d 245, 248 (4th Cir. 1991).

Accordingly, we affirm Industrious' 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*