

UNPUBLISHED

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

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*  
v.  
CURTIS BOYKINS,  
*Defendant-Appellant.*

No. 00-4889

Appeal from the United States District Court  
for the Eastern District of Virginia, at Norfolk.  
Raymond A. Jackson, District Judge.  
(CR-00-96)

Submitted: November 9, 2001

Decided: December 13, 2001

Before WILKINS, MICHAEL, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

L. Dickerson Bragg, DUNCAN R. ST. CLAIR, III & ASSOCIATES,  
P.C., Norfolk, Virginia, for Appellant. Paul J. McNulty, United States  
Attorney, Fernando Groene, Assistant United States Attorney, Nor-  
folk, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

**OPINION**

## PER CURIAM:

Curtis Boykins appeals his conviction of four counts of distribution of cocaine base, commonly known as "crack," in violation of 21 U.S.C.A. § 841(a)(1) (West 1999) and resulting 121-month sentence following a bench trial. Boykins argues the evidence presented at trial was insufficient to support his conviction because the testimony of the government witness who participated in the transactions was not credible.

Whether a defendant's case is tried to a jury or the court, we review the verdict to determine "whether 'there is substantial evidence, taking the view most favorable to the government,' to support the conviction." *United States v. Ismail*, 97 F.3d 50, 55 (4th Cir. 1996) (quoting *Glasser v. United States*, 315 U.S. 60, 80 (1942)); *Johnson v. United States*, 271 F.2d 596, 597 (4th Cir. 1959). We do not review a witness's credibility in assessing whether the evidence was sufficient to support a conviction. *United States v. Hobbs*, 136 F.3d 384, 391 n.11 (4th Cir. 1998).

We have reviewed the evidence and find, when viewed in the light most favorable to the Government, the evidence is sufficient to support Boykins' conviction. Therefore, we affirm his 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*