

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-4899

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DARRELL LAKI ROSS,

Defendant - Appellant.

Appeal from the United States District Court for the Northern District of West Virginia, at Clarksburg. Irene M. Keeley, Chief District Judge. (CR-00-17)

Submitted: May 31, 2001

Decided: June 6, 2001

Before WILKINS, TRAXLER, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James R. Fox, JORY & SMITH, Elkins, West Virginia, for Appellant. Melvin W. Kahle, Jr., United States Attorney, Robert H. McWilliams, Jr., Assistant United States Attorney, Wheeling, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Darrell Laki Ross appeals from his conviction following his guilty plea to one count of conspiring to travel in interstate commerce to bring cocaine and crack cocaine into West Virginia, in violation of 18 U.S.C. § 371 (1994), and one count of traveling in interstate commerce to bring crack cocaine into West Virginia, in violation of 18 U.S.C. § 1952 (1994), for which the district court sentenced him to consecutive sixty-month prison terms. Ross' sole claim on appeal is that the district court abused its discretion in denying his motion to withdraw his guilty plea.

This court reviews the denial of a motion to withdraw a guilty plea for abuse of discretion. United States v. Craig, 985 F.2d 175, 178 (4th Cir. 1993). Based on the factors set out in United States v. Moore, 931 F.2d 245, 248 (4th Cir. 1991), we find that the court did not abuse its discretion in denying the motion. Accordingly, we affirm Ross' 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