UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA, *Plaintiff-Appellee,* v. JEFFREY LEE WHITE, *Defendant-Appellant.*	No. 01-4022

Appeal from the United States District Court
for the Southern District of West Virginia, at Beckley.
Charles H. Haden II, Chief District Judge.
(CR-00-54-1)

Submitted: October 17, 2001

Decided: November 26, 2001

Before NIEMEYER, WILLIAMS, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Mary Lou Newberger, Acting Federal Public Defender, Joseph A. Brossart, Legal Research and Writing Specialist, Charleston, West Virginia, for Appellant. Charles T. Miller, United States Attorney, Bryant J. Spann, Assistant United States Attorney, Charleston, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Jeffrey Lee White pled guilty to one count of possession of a firearm by a convicted felon. White's attorney has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Counsel states that there are no meritorious issues for appeal, but raises three contentions on White's behalf. White was advised of his right to file a pro se supplemental brief but has not done so.

Counsel first contends that the district court erred in concluding that White was competent to enter a plea of guilty. We reject this contention because the district court's competency determination was amply supported by the record. *See Godinez v. Moran*, 509 U.S. 389, 399 (1993); *Dusky v. United States*, 362 U.S. 402 (1960). Counsel next takes issue with the district court's denial of White's motion to substitute counsel. After reviewing the record and the district court's decision on the motion, we find no abuse of discretion. *See United States v. Mullen*, 32 F.3d 891, 895 (4th Cir. 1994). Finally, counsel challenges the district court's denial of White's motion to withdraw his guilty plea. Again, our review in response to this claim discloses no abuse of discretion. *See United States v. Moore*, 931 F.2d 245, 248 (4th Cir. 1991).

We have examined the entire record in this case in accordance with the requirements of *Anders* and find no meritorious issues for appeal. We grant White's father's motion to file a brief amicus curiae and affirm. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client. Finally, 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