

UNPUBLISHED

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

UNITED STATES OF AMERICA, <i>Plaintiff-Appellee,</i>
v.
SAMMY L. ANDERSON, <i>Defendant-Appellant.</i>

No. 01-4552

Appeal from the United States District Court  
for the District of South Carolina, at Greenville.  
G. Ross Anderson, Jr., District Judge.  
(CR-00-144)

Submitted: March 1, 2002

Decided: March 19, 2002

Before MICHAEL, MOTZ, and KING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Beattie B. Ashmore, PRICE, PASCHAL & ASHMORE, P.A., Greenville, South Carolina, for Appellant. J. Strom Thurmond, Jr., United States Attorney, Isaac Johnson, Jr., Assistant United States Attorney, Greenville, South Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.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

**OPINION**

## PER CURIAM:

Sammy L. Anderson appeals the district court's denial of his motion to withdraw his guilty plea. Anderson pleaded guilty to one count of possession with intent to distribute cocaine in violation of 21 U.S.C.A. § 841(a)(1) (West 1999 & Supp. 2001). He claims the district court failed to establish an adequate factual basis for his plea and erred in failing to allow him to later withdraw his plea.

We review a district court's acceptance of a guilty plea as supported by a sufficient factual basis only for abuse of discretion. *United States v. Mitchell*, 104 F.3d 649, 652 (4th Cir. 1997). Likewise, we review a district court's 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). Upon examination of the record, we find the district court heard sufficient information to prove every element of the offense, and thus established an adequate factual basis for Anderson's guilty plea. Moreover, because Anderson presented no credible evidence supporting his claims that his plea was coerced and that he is innocent, the district court did not abuse its discretion by denying his request to withdraw his plea. *See United States v. Moore*, 931 F.2d 245, 248 (4th Cir. 1991).

Accordingly, we affirm the judgment of the district court. 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*